

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22337 of 2023

Arising Out of PS. Case No.-1016 Year-2022 Thana- BANJARIA District- East Champaran

AWADHESH SAHNI @ AWADHESH CHOUDHARY S/o Kanhaiya Sahani
@ Kanhiya Sahani Resident of village-Daroga Tola, P.S. Banjariya, District-
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha, Advocate.

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-06-2023 Heard Mr. Jitendra Narain Sinha, learned counsel
appearing on behalf of the petitioner and Mr. Md. Iftekhar
Mahamood, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Turkauliya (Banjariya) P.S. Case No. 1016 of 2022
registered for the offence punishable under Sections 272 and
273 of the Indian Penal Code and Sections 30(a), 32 and 41(i) of
the Bihar Prohibition and Excise Act, 2018.

3. Allegation is of recovery of 15 litres of country
made liquor packed in 100 ml pouch from the bamboo orchard.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is not involved in the alleged
crime rather the recovery is from Bamboo orchard which is an



open place and easily accessible to anyone. Petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions of the parties as well as the nature of allegation and the quantity of liquor recovered is 15 litres from the bamboo orchard, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise, Court No.1, East Champaran, Motihari in connection with Turkauliya (Banjariya) P.S. Case No. 1016 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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