

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17552 of 2023

Arising Out of PS. Case No.-669 Year-2022 Thana- KADAMKUAN District- Patna

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Kunal Sahani @ Kunal Kumar Sahani Son of Gopal Sahani @ Gopal Prasad Sahani Resident of Mohalla - Das Lane East Lohanipur, P.S.- Kadamkuan, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30(a)(c)(d) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 57.165 litres of liquor along with 288 bottles of 100 ml of Kali Phosphoricum (Homeopathic medicine) from the room of the house petitioner.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next



submitted that the petitioner is not the owner of the alleged house and he came to be implicated based on the confessional statement of co-accused Vishal Kumar in police custody which does not have any evidentiary value when admittedly petitioner is a person with clean antecedent.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Special Case No. 7823 of 2022 arising out of Kadamkuan P.S. Case No. 669 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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