

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28430 of 2023

Arising Out of PS. Case No.-492 Year-2022 Thana- KESARIA District- East Champaran

SUDISH SAHANI S/O DHURENDRA SAHANI Resident of Village- Siswa
Kharar, P.S.- Kalyanpur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjana Srivastava, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-05-2023 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 Section 30(a) of the Bihar Excise Act and Sections 272, 273, 341, 323, 307, 279, 332, 353 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 50 liters of liquor from two motorcycles.

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 he came to be implicated based on the confessional statement of co-accused in police custody which



does not have any evidentiary value, it is further submitted that petitioner is not the owner of any of the alleged vehicles, 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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Kesariya P.S. Case No. 492 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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