

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34793 of 2023

Arising Out of PS. Case No.-253 Year-2023 Thana- TURKAULIYA District- East
Champaran

=====

DILIP SAHANI @ DILIP KUMAR SAHANI S/o- AMBIKA SAHANI @
AMIRAKA SAHANI Village- Sapahi Viritiya Tola PS- Raghunathpur OP
Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mrs. Rashmi Jha, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 24-07-2023 Heard Mrs. Rashmi Jha, learned counsel appearing on
behalf of the petitioner and the learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Turkauliya (Raghunathpur) P.S. Case No. 253 of 2023 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 332, 333, 353, 337, 338, 225, 427, 504 of the Indian Penal Code.

3. Allegedly the petitioner along with other accused persons tried to rescue the arrested persons, who were found indulged in manufacturing of illicit wine. It is further alleged that all the accused persons, including the petitioner, also attacked on the police party and damaged the police vehicles and they succeeded to rescue one arrested accused person from



the custody of the police.

4. Learned counsel appearing on behalf of the petitioner submits that from the F.I.R. it is evident that the petitioner is not the person, who is found involved in manufacturing of illicit wine, however, so far the allegation of rescuing the arrested person and damaging the vehicle is concerned, the same has not been specifically attributed against the petitioner, rather the omnibus allegation has been leveled against all. She next submitted that the name of the petitioner has been disclosed by *Mahal Chaukidar* and save and except the aforesaid disclosure no iota of evidence against him, apart from the petitioner is a man of fair antecedent.

5. On the other hand, learned APP for the State opposes the bail application and submits that the petitioner along with others have obstructed the police personnel in discharging their official duties.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation and the fact that none has sustained any injury, coupled with the fair antecedent, let the petitioner, named above, in the event of his arrest or surrender before the learned court below within four weeks from the date of receipt/production of



a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Motihari, East Champaran in connection with Turkauliya (Raghunathpur) P.S. Case No. 253 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Harish Kumar, J)

uday/-

U		T	
---	--	---	--

