

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47387 of 2023

Arising Out of PS. Case No.-287 Year-2023 Thana- TURKAULIYA District- East
Champaran

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Suraj Sahni Son Of Dasai Sahni, Resident Of Village- Jhakhiya, P.S.-
Banjariya, Distt- East Champaran

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Turkauliya (Banjariya) P.S. Case No. 287 of 2023 registered for the offences punishable under Sections 272, 273, 414, 413/34 of the Indian Penal Code and Section 30(a), 32, 34, 36/ 41(i) of the Bihar Prohibition and Excise Act. He has got one criminal antecedent in which he is said to be on bail as per statement in paragraph '3' of the application.

3. As per the prosecution story, on secret information, the informant along with other police officials reached at the house of Ram Babu Sahni and on seeing the policy party, 3-4 accused persons started fleeing away but one got apprehended



by the police who disclosed his name as Uday Sahni and he also disclosed the name of other accused persons who managed to escape. It is alleged that on search of the house of Ram Babu Sahni, total 100 liters of country made liquor was recovered and one stolen motorcycle was also recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that there is no recovery of illicit liquor from the conscious possession of the petitioner.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the submission that the alleged illicit liquor has been recovered from the house of co-accused Ram Babu Sahni and this petitioner claims that he is a labourer and maintains himself and his family with his daily wages, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Turkauliya (Banjariya) P.S. Case No – 287 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No.-1, East Champaran, Motihari, subject to the



conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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