

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43611 of 2023

Arising Out of PS. Case No.-18 Year-2023 Thana- CHHAURADANO District- East
Champaran

-
1. Mukh Deo Sahani, S/O- Ram Nath Sahani Village- Ajgarwa Ps- Lakhaura Dist- East Champaran
 2. Mukesh Sahani, Son Of Suresh Sahani Village- Ajgarwa Ps- Lakhaura Dist- East Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ujjwal Kumar Singh

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 14-07-2023 1. The learned counsel for the petitioners, at the outset, seeks permission to withdraw the present anticipatory bail application with respect to petitioner no.2.
2. Permission is accorded.
3. Accordingly, instant petition is dismissed as withdrawn with respect to petitioner no.2, namely, Mukesh Sahani.
4. Heard learned counsel for the petitioner no.1 and learned APP for the State.
5. The petitioner no.1 seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 353, 307, 504, 506 of the



I.P.C., Section 27 of the Arms Act and Section 30(a) of the Excise Act.

6. The learned counsel for the petitioner submits that the petitioner no.1 is a person with clean antecedent and the informant alleges that he received secret information that accused Mukesh Sahani and Rupesh Sahani were carrying illicit liquor on a motorcycle. Accordingly, they were intercepted and Dhiraj Kumar and Milan Sahani were apprehended, but Rupesh Sahani managed to escape and thereafter, he called his villagers. Thereafter, Rupesh Sahani fired with pistol and from the motorcycle, 20 litres of liquor was recovered.

7. The learned counsel for the petitioner submits that petitioner is not alleged to have fired, nor he was arrested from the place of occurrence and he came to be implicated at the instance of Chaukidar. The learned counsel next submits that the petitioner was not arrested from the spot, nor allegation of firing is alleged against him.

8. Learned A.P.P. opposes the bail application.

9. Considering the submissions made by the learned counsel for the petitioner, the petitioner no.1, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on



bail on his furnishing bail-bonds in the sum of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court No.2, Motihari, East Champaran in connection with Chhauradano P. S. Case No.18 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C. with a condition that one of the bailors of the petitioner shall be his father namely, Ram Nath Sahani.

10. The application stands allowed.

(Satyavrat Verma, J)

vikash/-

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

