

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48759 of 2023

Arising Out of PS. Case No.-96 Year-2023 Thana- BASOPATTI District- Madhubani

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BHOGENDRA SAHANI @ BHOGINDRA SAHANI @ BHOGI SAHANI
SON OF LATE NANDKISHOR SAHANI RESIDENT OF VILLAGE -
MADHIYA (KAMALAVARI), POLICE STATION - BASOPATTI,
DISTRICT - MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah

For the Opposite Party/s : Mr. Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 28-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 272, 273,
353, 34 of the Indian Penal Code and Sections 30(a) and 45 of
the Bihar Excise Act.
3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 90 liters of liquor from and E-Rickshaw and a
Honda Shine motorcycle.
4. Learned counsel for the petitioner submits that the
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession and he came to be



implicated based on the confessional statement of Ganit Sahani in police custody which does not have any evidentiary value. It is next submitted that the petitioner is not the owner of the seized vehicle.

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

6. 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. 5,000/- (Rupees Five Thousand) 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 Basopatti P.S. Case No. 96 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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