

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52719 of 2023

Arising Out of PS. Case No.-44 Year-2023 Thana- YADOPUR District- Gopalganj

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MITHILESH @ KARI SAHANI @ MITHLESH SAHANI @ MITHLESH
S/O HARESH SAHANI R/O VILLAGE- NAYA TOLA BHATHWA, PS.
JADOPUR (YADOPUR), DIST. GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 16-08-2023 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 Section 30(a) 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 198 liters of liquor from the boat near the bank of Gandak river.
4. Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and he came to be implicated by the local farmers, but then the name of the farmer



is not disclosed in the FIR who disclosed the name of the petitioner which casts an aspersion on the case of the prosecution, when petitioner admittedly is a person with clean antecedent, it is next submitted that petitioner is not the owner of the seized boat.

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. 1,000/- (Rupees One 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 Jadopur (Yadopur) P.S. Case No. 44 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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