

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51275 of 2023

Arising Out of PS. Case No.-131 Year-2023 Thana- YADOPUR District- Gopalganj

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BUDHAN SAHANI @ BUDHAN SAHNI SON OF SUKHDEV SAHANI @
SUKDEV SAHNI RESIDENT OF VILLAGE- BALUA TOLA, 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. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 08-08-2023 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30 (a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.
3. Learned counsel for the petitioner submits that he has criminal antecedent of nine cases and allegation is of recovery of total 468 liters of liquor from a boat near the bank of Gandak river.
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 confessional statement of Hasnain Ansari



in police custody which does not have any evidentiary value. It is next submitted that it appears that the police in order to save the real culprits falsely got the petitioner implicated through Hasnain in his confession because of his antecedent. It is also submitted that 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. 50,000/- (Rupees Fifty Thousand) with two sureties of the like amount to the satisfaction of the learned court below/successor court, where the case is pending/successor court in connection with Jadopur (Yadopur) P.S. Case No. 131 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Jyoti/Rishabh

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