

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52916 of 2022

Arising Out of PS. Case No.-78 Year-2020 Thana- PIPRAKOTHI District- East Champaran

Abhiratan Choudhary @ Abhiratan Sahni @ Abhiratan Kumar Son Of Late
Raja Kumar Sahni @ Raj Kumar Sahni @ Raj Kumar Choudhary R/V-
Hathiyahi, P.S- Pipra Kothi, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Advocate

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 14-02-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks regular bail in connection with Pipra Kothi P.S. Case No. 78 of 2020 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 332, 333, 353 and 225 of the Indian Penal Code and Section 45 of Bihar Prohibition & Excise Act 2018.

As per the prosecution, the police personnel acting upon a secret information raided the alleged place and recovered 36



Cartoons of Foreign Liquor concealed in a pond. It is further alleged that the FIR named accused persons along with 50-60 villagers arrived at the alleged place and attacked at the police party by means of *Lathi, Danda* etc.

The main submissions advanced by learned counsel Mr. Shanti Bhushan Singh, appearing for the petitioner are that the petitioner is not named in the FIR and several named and unnamed accused persons were alleged to have attacked at the raiding police party but any specific role of the petitioner has not been mentioned in the FIR and six named accused persons have been granted anticipatory bail by this Court vide order passed in Cr. Misc. No. 32203 of 2021 and the petitioner has been languishing in jail since 29.06.2022. Further submission is that against the petitioner there is criminal antecedent of three cases in which he has got bail and he was remanded in the present matter from one of the said criminal antecedent cases.

Learned APP appearing for the State has opposed the prayer for bail.

Having considered the above submissions and mainly the privilege of bail having been granted to some of the named co-accused persons by a co-ordinate Bench of this Court and also the fact that the petitioner is not named in the FIR and has



been languishing in jail since 29.06.2022, in the opinion of this Court the petitioner deserves to a lenient approach of this Court. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Pipra Kothi P.S. Case No. 78 of 2020.

(Shailendra Singh, J.)

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