

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58331 of 2023

Arising Out of PS. Case No.-179 Year-2023 Thana- KESARIA District- East Champaran

Deepak Sahani @ Deepak Kumar S/O Pundeo Sahani @ Punyadeo Sahani @
Sundev Sahani R/O Village- Lohargawa, Ps. Kesariya, Dist. East Champaran
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 05-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Kesariya P.S. Case No. 179 of 2023 instituted under Sections 272, 273 of the Indian Penal Code and 30 (a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 13.140 litres of illicit foreign liquor was recovered from the motorcycle and the apprehended accused disclosed the name of petitioner who fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is not the owner of the alleged motorcycle nor he has any concern with the recovered liquor. He further submits that except the confessional statement of co-accused, there is no evidence or material to show the complicity of the petitioner to the alleged occurrence. Petitioner has no criminal antecedent.



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

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount to each to the satisfaction of the learned Exclusive Special Judge Excise Court No.-2, Motihari, East Champaran in connection with Kesariya P.S. Case No. 179 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

ashutosh/-

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

