

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59765 of 2023**

Arising Out of PS. Case No.-258 Year-2023 Thana- SUGAULI District- East Champaran

Sujit Kumar @ Sujit Kumar Sahni S/O Sipahi Sahani R/O Village- Godigawa,
P.S- Sugauli, Distt.- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2, Advocate
For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 27-09-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Sugauli P.S. Case No. 258 of 2023 dated 30.06.2023 registered for the offences punishable under Sections 272, 273 read with Section 34 of the Indian Penal Code and Sections 30(a), 32 and 41(i) of the Bihar Prohibition and Excise Act.

4. As per the prosecution case, 60 litres of country made chulai liquor was recovered near the field and orchard of the co-accused at village, Godigawa.

5. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has been falsely implicated in this case. The name of the petitioner was disclosed in this case by the local *chowkidar*. Nothing has been recovered from the possession of the petitioner. It is further submitted that the petitioner has no concern with the alleged recovery and the recovery has been made from an open place. The petitioner has one criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/ surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran, Motihari in connection with Sugauli P.S. Case No. 258 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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