

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59168 of 2023

Arising Out of PS. Case No.-424 Year-2023 Thana- SARAIYA District- Muzaffarpur

Umesh Sahni Son Of Late Sakaldev Sahni R/O Vill - Barka Gaon, P.S. -
Karja, Distt. - Muzaffarpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

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

ORAL ORDER

2 22-09-2023 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 a case in connection with Saraiya P.S. Case No. 424 of 2023 dated 05.07.2023 registered for the offences punishable u/ss 272, 273, 420 and 120B read with section 34 of the Indian Penal Code and sections 30(a), 32(2), 32(3), 33, 36, 41(1) and 41(a) of the Bihar Prohibition and Excise Act. .

4. As per the prosecution case, total 300 litres of illicit liquor was recovered from a Bolero vehicle and the co-accused Rahul Kumar and Deepan Rai were arrested who disclosed that the petitioner, Umesh Sahni hired Deepan Rai for bringing the said liquor.



5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The name of the petitioner has surfaced on the basis of disclosure of the co-accused Deepan Rai. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is neither the driver nor the owner of the said vehicle. The petitioner has no concern with the alleged recovery. The petitioner has three other criminal cases as stated at para 3 of the bail petition.

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

7. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Muzaffarpur in connection with Saraiya P.S. Case No. 424 of 2023, subject to conditions 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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