

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61324 of 2022**

Arising Out of PS. Case No.-141 Year-2022 Thana- HARLAKHI District- Madhubani

Shankar Sahni Son Of Bhagau Sahni R/O Village- Sothagaon @ Sohagaon,
P.S.- Harlakhi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Advocate.

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

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

3 25-02-2023 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.

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

The petitioner is apprehending his arrest in connection with Harlakhi P. S. Case No. 141 of 2022 registered for the offences punishable under Sections 272 and 273 read with Section 34 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, total 45 litres of illicit country made liquor kept in a sack was recovered behind the house of the petitioner.

Learned counsel for the petitioner has submitted that the



petitioner has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The alleged recovery was made from open place which is accessible to anyone. The seizure list indicates that the said recovery was made from the village Sothgaon. Learned counsel further submitted that no case is made out against the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

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

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, Madhubani in connection with Harlakhi P. S. Case No. 141 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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