

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74313 of 2023

Arising Out of PS. Case No.-266 Year-2022 Thana- PAKRIDAYAL District- East Champaran

CHANDAN SAHANI @ CHANDAN KUMAR NISHAD SON OF JIYA
LAL SAHNI VILL-MAJHAR GODHIYA TOLA PS-PAKARIDAYAL DIST-
EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-12-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. Learned counsel for the petitioner undertakes to
remove the defect (s), as pointed out by the office, during
course of the day.

3. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 272/273 of
the Indian Penal Code and Section 30(a)/30 (c) of the Bihar
Prohibition and Excise Act, 2018

4. It is submitted by learned counsel for the
petitioner that no incriminating article has been recovered from
the conscious physical possession of the petitioner rather two
liters of country made liquor is said to have been recovered



behind the house of the petitioner. Petitioner has no concern either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The place of recovery is an open place and easily accessible to anyone. Petitioner has been falsely implicated in this case at the instance of his enemy. Petitioner has two criminal antecedents of similar nature of the offence as mentioned in para-3 of this application.

5. Petitioner is agreed to deposit a sum of Rs.15,000.00 (Rupees Fifteen Thousand) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Pakridayal P.S. Case No. 266 of 2022,



subject to the condition as laid down under Section 438 (2) of the Cr.P.C, subject to the further conditions that

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

7. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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