

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.69340 of 2023

Arising Out of PS. Case No.-246 Year-2023 Thana- SUGAULI District- East Champaran

KISHORI SAHNI S/O LATE HARI SHANKAR SAHNI VILLAGE-
GUDGAWA, PS. SUGAULI, DIST. EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brajesh Kumar Singh, Adv.

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 08-11-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Sugauli P.S. Case No. 246/ 2023 dated 18/06/2023
registered for the offence(s) punishable under Section(s) 272,
273 read with Section 34 of the IPC and under Sections 30(a),
32 and 41(i) of Bihar Prohibition & Excise Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that the petitioner has got no
criminal antecedent and as per allegation made in the FIR, this
petitioner is said to have fled away on seeing the police party
after leaving a bag which was seized by the police and alleged



country made liquor was recovered from the said bag but the petitioner's identification was disclosed by a police Chowkidar only and no independent person claimed to have identified this petitioner and any statement of any of the independent persons was not recorded and the PS case No. was mentioned in the seizure list prior to lodging of the FIR which raised serious suspicion in the genuineness of the prosecution's case and in view of the circumstances appearing against this petitioner, the alleged offence of Excise Act does not even prima facie attract against this petitioner hence, his prayer for anticipatory bail is maintainable.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions, this court is of the opinion that petitioner's prayer for anticipatory bail is fit to be accepted. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Sugauli P.S. Case No. 246/2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down



under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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