

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75123 of 2023

Arising Out of PS. Case No.-352 Year-2023 Thana- JAYNAGAR District- Madhubani

Pramod Sahani @ Pramod Kumar Sahani Son Of Ramashish Sahani Resident
Of Village - Madhiya Kamlwabari, Police Station - Basopatti, District -
Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

For the Petitioner/s :	Mr.Md. Soban Asghar, Advocate
For the Opposite Party/s :	Mr.Md. Shakir Ahmad, APP

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

ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with G.R. No. 1282 of 2023 arising out of Jaynagar P.S. Case No. 352 of 2023 dated 22.08.2023 registered for the offences punishable u/ss 272, 273, 414 read with section 34 of the Indian Penal Code and u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 1170 litres of illicit liquor and 8 motorcycles were recovered near *Pakar* tree at village Baira.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The name of the petitioner was disclosed by local *chowkidar*. Nothing has been recovered from the possession of the petitioner and the recovery has been made from an open place. It is further submitted that the



said motorcycle does not belong to the petitioner and the said motorcycle was not being driven by the petitioner at the time of the alleged recovery and hence, no case is made out against the petitioner. The co-accused has already been granted bail by this court vide order dated 02.12.2023 passed in Cr. Misc. No. 76236 passed in Cr. Misc. No. 76236 of 2023. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

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

6. 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 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 G.R. No. 1282/ 2023 arising out of Jaynagar P.S. Case No. 352 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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