

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73662 of 2023

Arising Out of PS. Case No.-1 Year-2021 Thana- BHAIKAVSHTHAN District- Madhubani

ARJUN SAHNI S/O VISHWANATH SAHNI VILLAGE- DHARPUR, PS.
MINAPUR, DIST. MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 29-11-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Bhairavsthan P.S. Case no.1 of 2021 registered under sections 279, 272 and 273 of the Indian Penal Code and sections 30(a) and 33 of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on the vehicle in question being stopped for checking it is stated that the driver made an attempt to escape but the vehicle met with an accident and overturned. It is stated that the driver Pankaj Kumar Chaudhary was arrested and 250 litres of illicit liquor was recovered. On enquiry, he disclosed that two other accused persons had managed to escape which included the petitioner herein.

4. It is submitted by learned counsel for the



petitioner that neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his possession. He has no concern with the vehicle in question. The cause of his false implication is his antecedent. He is in custody since 5.8.2023.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the FIR, the petitioner not having been arrested at the spot nor any incriminating article having been recovered from his possession, the Court directs the petitioner to be enlarged on bail in connection with Bhairavsthan P.S. Case no.1 of 2021 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Jhanjharpur, Madhubani.

(Partha Sarthy, J)

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