

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34291 of 2024

Arising Out of PS. Case No.-73 Year-2024 Thana- GORAUL District- Vaishali

Sunil Kumar Sahni Son Of Nandlal Sahni Village- Rasulpur Daud, P.S.-
Gorual (Kathara O.P.), Dist-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate
For the Opposite Party/s : Mr. Arun Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 02-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in Goraul (Kathara
O.P) P.S. Case No. 73 of 2024, registered under Sections 419,
420/34 of the Indian Penal Code, Sections 30(a), 32(1), 32(2),
and 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, total
1301.625 liters of illegal liquor was recovered from a pick-up
van and a motorcycle was also found at the place of occurrence.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner has got no concern with the alleged
recovery of liquor. The name of the petitioner has transpired as



being owner of the motorcycle in question which was parked at the place of occurrence. The petitioner had given the motorcycle to his friend and the petitioner was not present on the spot. The petitioner has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted bail by this Court vide order dated 10.04.2024 passed in Cr. Misc. No. 27967 of 2024. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Goraul (Kathara O.P) P.S. Case No. 73 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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