

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34735 of 2024

Arising Out of PS. Case No.-557 Year-2023 Thana- TURKAULIYA District- East
Champaran

Bhola Sahani Son of Shri Bhagawan Sahani Resident of Village- Jhakhiya,
P.S.- Banjariya, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Abhishek Kumar, Advocate
For the State : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-07-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Sections 30(a) and 41(i) of the Bihar Prohibition and Excise Act, 2016.

3. As per prosecution case, 40 litres of illicit country made liquor has been recovered from Baluayi Ghat, which is an open place.

4. It is submitted by learned counsel appearing on behalf of the petitioner that no incriminating article has been recovered from the conscious possession of this petitioner and he has been made an accused in this case merely on suspicion. The alleged illicit liquor has been recovered from an open place.



Petitioner has got one criminal antecedent of similar nature, in which he is already on bail.

5. Learned A.P.P. for the State has opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.-1, East Champaran at Motihari, in connection with Turkauliya (Raghunathpur) P.S. Case No. 557 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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