

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36185 of 2024

Arising Out of PS. Case No.-231 Year-2019 Thana- SUGAULI District- East Champaran

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Ram Pravesh Sahani Son Of Chirkut Sahani @ Chirkut Sahni Resident Of
Village - Mushwa Bherihari, P.S. - Sugauli, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Ms. Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 20-06-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 272, 273 of the IPC and under Section 30(a) of the Bihar Prohibition and Excise Act in connection with Sugauli P.S. Case No.231 of 2019.

3. The learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 10 liters of liquor along with 600 liters of raw material from a bamboo and a Sisham orchard.

4. It is next submitted that petitioner was not arrested



from the spot as such nothing was recovered from his conscious possession and even alleged recovery is from a place which does not belong to the petitioner and is accessible to public at large and he came to be implicated at the instance of local person, but then the name of the person who disclosed the name of the petitioner is not disclosed in the FIR, which cast an aspersion on the case of the prosecution.

5. The learned APP for the State opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Excise Court No.01, East Champaran at Motihari in connection with Sugauli P.S. Case No.231 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is



found that petitioner has antecedent of more than one case, in that event, the present anticipatory bail order shall not be given effect.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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