

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39617 of 2024

Arising Out of PS. Case No.-641 Year-2023 Thana- HARSIDHI District- East Champaran

Sipahi Kumar @Sipahi Sahani Son of Viswanath Sahani R/O village-
Kathaiya Ranjeeta, P.S.- Harsidhi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 23-08-2024 Heard learned counsel appearing on behalf of the parties.

2. The petitioner apprehends his arrest in connection with Harsidhi P.S. Case No. 641 of 2023 registered for the offence under Sections 272, 273 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per allegation in the FIR, 300 litres Nepali liquor has been recovered from the house and near the house of co-accused Shambhu Mahato and the petitioners and co-accused managed to escape from the place of occurrence leaving the liquor.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case.



Nothing has been recovered from the conscious possession of the petitioner and has been made accused in the present case on the basis of disclosure of chaukidar. He further submits that petitioner has no criminal antecedents as stated in paragraph 3 of the application.

5. Learned APP for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and submissions made by the learned counsel for the petitioner, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the Court below within a period of six weeks from today on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No. 1, Motihari, East Champaran in connection with Harsidhi P.S. Case No. 641 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further condition that learned trial Court shall verify the criminal history of the petitioner within 10 days of receipt of a copy of this order. If any criminal antecedent is found then the bail bonds of the petitioner shall not be accepted and if the antecedent of the



petitioner is not verified within 10 days, the bail bond of the
petitioner shall be accepted provisionally, thereafter the criminal
antecedent of the petitioner, be verified.

(Ramesh Chand Malviya, J)

saaurabhkr/-

U		T	
---	--	---	--

