

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37313 of 2024

Arising Out of PS. Case No.-114 Year-2024 Thana- SUGAULI District- East Champaran

Santosh Sahani @ Santosh Kumar Son Of Madan Sahani Village- Belwatiya,
Ps- Sugauli, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Rajendra Singh

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

ORAL ORDER

2 17-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Sugauli P.S. Case No. 114 of 2024 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Amendment Act.

3. As per prosecution case, there has been recovery of 12 liters of country-made liquor from the dicky of the motorcycle.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The name of the petitioner has come into light on the basis of confessional statement of co-accused Ranjeet Sahani, which has got no evidentiary value in the eyes



of law. Petitioner has no concern with the alleged recovery. He further submitted that the seized motorcycle belongs to the father of the petitioner. No incriminating article has been recovered from the conscious possession of the petitioner. It is next submitted that the petitioner has got no criminal antecedent. Petitioner has no knowledge regarding the alleged occurrence. There is no compliance of Section 100 of the Cr.P.C.

5. Learned A.P.P. 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Sugauli P.S. Case No. 114 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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