

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41362 of 2024

Arising Out of PS. Case No.-23 Year-2024 Thana- SAHIYARA District- Sitamarhi

Baidyanath Sahni @ Baidhnath Sahni @ Vaidhnath Sahni Son Of Jugal Sahni
@ Yugal Sahani Resident Of Village - Shitalpatti, P.S. - Sahiyara, District -
Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 03-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Sahiyara P.S. Case No. 23 of 2024, instituted under
Sections 30(a) of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, total 72 litres Nepali
Saufi liquor has been recovered from the mango orchard.
Accused persons fled away after seeing the police force.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case due to criminal antecedent and due to village politics.
Name of the petitioner transpired on the basis of confessional
statement of apprehended co-accused, namely, Rudal Sahani.



Except the said confessional statement, there is no material against the petitioner. Petitioner has no concern with the mango orchard or the recovered liquor. He undertakes to co-operate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submission of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court where the case is pending in connection with Sahiyara P.S. Case No. 23 of 2024, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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