

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42221 of 2024

Arising Out of PS. Case No.-19 Year-2024 Thana- HARSIDHI District- East Champaran

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HARI NARAYAN SAHANI SON OF LATE DAYALI SAHANI @
RAMASHISH SAHANI VILLAGE- PANAPUR TAGHWA TOLA, P.S.-
HARISIDHI, DISTT.- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Ms. Rashmi Jha, Advocate
For the State	:	Mr. Awadhesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-07-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 30(a), 32(2) and 41(i) of the Bihar Prohibition and Excise Act and Sections 8, 20(b)(ii)(c), 25 and 29 of the N.D.P.S. Act.

3. As per prosecution case, 1.538 kg. of *charas* was recovered from co-accused Kanhai Sahani and 200 litres of spirit was recovered from a hut situated in the filed opposite to house of co-accused Kanhai Sahani, who disclosed the name of this petitioner.

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 confessional statement of co-accused Kanhai Sahani. It is further submitted that petitioner has got two criminal antecedents out of which one is 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 and the fact that no incriminating article has been recovered from the conscious possession of this petitioner, 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 Special Judge, Excise Court No.-1, Motihari, East Champaran, in connection with Harsidhi P.S. Case No. 19 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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