

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52929 of 2024

Arising Out of PS. Case No.-106 Year-2024 Thana- TURKAULIYA District- East
Champaran

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Bihari Sahani Son of Chhotelal Sahai R/o Village- Raghunathpur, P.S.-
Raghunathpur O.P., District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

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

ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in Turkauliya
(Raghunathpur) P.S. Case No. 106 of 2024, registered under
Sections 272, 273/34 of the Indian Penal Code, Sections 30(a)
and 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 52.800 liters
liquor was recovered from mango orchard of Mali Bhagat.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no knowledge and concern with the alleged recovery of liquor.
Learned counsel for the further submitted that the alleged



recovery has been made from an open place which is easily accessible to public at large and belongs to Mali Bhagat. The petitioner was not present at the place of occurrence. Name of the petitioner has transpired on the basis of secret information which was received by the police. The petitioner has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Turkauliya (Raghunathpur) P.S. Case No. 106 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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