

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53533 of 2024

Arising Out of PS. Case No.-127 Year-2024 Thana- HARSIDHI District- East Champaran

Hari Sahani @ Harilal Sahani S/o Late Shankar Sahani R/o vill - Singaha
Ujjain Lohiyar, P.S. - Harsidhi, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Abhishek Kumar, Advocate
		Mr. Hemant Ray, Advocate
For the State	:	Ms. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-09-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. As per prosecution case, 3 litres country made liquor has been recovered from a bucket. It is alleged that it was this petitioner who left the bucket and fled away after seeing the police party.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is not owner of the bucket in question. No incriminating article has been recovered from conscious possession of this petitioner and he has been made an accused in this case merely on suspicion. Petitioner claims clean



antecedents.

5. Learned A.P.P. for the State has opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the small quantity of liquor that has been recovered, fact that nothing has been recovered from conscious possession of this petitioner and clean antecedents, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight 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, East Champaran at Motihari, in connection with Harsidhi P.S. Case No. 127 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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