

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75987 of 2024

Arising Out of PS. Case No.-48 Year-2024 Thana- Patauna District- Madhubani

Indal Sahni Son of Vishwanath Sahni R/O-Village -Jagwan Kataiya, PS -Patauna, Distt.- Madhubani	Versus	 Petitioner
The State of Bihar		 Opposite Party

Appearance :

For the Petitioner	:	Mr. Murari Narain Chaudhary, Advocate
For the Opposite Party	:	Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 25-11-2024 Heard learned counsel for the petitioner and

Md.Anzarul Haque Sahara, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Patauna P.S. Case No. 48 of 2024/G.R. No. 1109 of 2024 instituted for the offence under Sections 274 and 275 of Bharatiya Nyaya Sanhita, 2023 as well as under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. The case of the prosecution is that one man on a bike was going and started fleeing after seeing the police party. The petitioner was not apprehended rather he managed to escape. Local chawkidar disclosed his name as Indal Sahni (petitioner). It is further alleged that from above bike, 63 liters of liquor was recovered.

4. During course of the argument, learned counsel for the appellant has submitted that though the bike belongs to the petitioner but the same was parked. The petitioner was not



apprehended from the place of occurrence and nothing was found from his possession. The petitioner is having criminal antecedent of one case.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail with a condition that he shall not indulge in same nature of cases in near future. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Patauna P.S. Case No. 48 of 2024/G.R. No.1109 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge- 2nd -cum-Special Judge (Excise Act), Madhubani subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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