

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86455 of 2024

Arising Out of PS. Case No.-725 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

Shubhash Sahani @ Shubhash Kumar Son of Chandeshwar Sahani Village-
Ismailpur P.s.- Hajipur Sadar, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-12-2024 Heard Mr. Anil Kumar, learned counsel for the

petitioner and Mr. Dilip Kumar No.1, learned A.P.P. for the

State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 274 and
275 of the B.N.S. and Section 30 (a) of the Bihar Prohibition
and Excise Act.

3. It is submitted by learned counsel for the
petitioner that no incriminating article has been recovered from
the conscious physical possession of the petitioner rather 100
liters of country made liquor is said to have been recovered
from near the Gandak River. Petitioner has no concern either
with the seized liquor or the place of recovery or any trade of
liquor. The allegation levelled against the petitioner is not



specific rather general and omnibus in nature. The place of recovery is an open place and easily accessible to anyone. Petitioner has been falsely implicated in this case at the instance of his enemy. Petitioner has one criminal antecedent of similar nature of the offence, as mentioned in para-3 of this application.

4. Petitioner is agreed to deposit a sum of Rs.10,000.00 (Rupees Ten Thousand) in the account of Lawyers' Association Welfare Benevolent Fund, bearing Account No.: 7801893276, IFSC Code : IDIB000L501, Bank Name: Indian Bank, Branch-LNMI, Bailey Road, Patna.

5. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Hajipur Sadar P.S. Case No. 725 of 2024, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, subject to the further conditions that



- (i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.
- (ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

6. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Lawyers’ Association Welfare Benevolent Fund.

(Anjani Kumar Sharan, J)

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