

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2872 of 2024

Arising Out of PS. Case No.-439 Year-2023 Thana- JAYNAGAR District- Madhubani

Lalit Sahni S/O Late Nand Kishor Sahni R/O Village- Madhiya Kamalavari,
P.S- Basopatti, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 07-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Jaynagar PS Case No. 439 of 2023 dated 28-10-2023, instituted under Sections 272, 273 and 414/34 of the IPC and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The allegation is of recovery of 405 litres of illicit liquor from the bush situated near the village-Dulipatti, Mishra tole.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that petitioner has not been apprehended at the spot and only on the basis of suspicion and at the disclosure of the local '*Chowkidar*', the petitioner has been made accused



in this case. It is further submitted that petitioner has no concern with the alleged recovery. Lastly, it has been submitted that the petitioner has no criminal antecedents, as per statement made in paragraph no.3 of the petition.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Additional Sessions Judge-cum-Special Judge, Excise Act, Madhubani, in Jaynagar PS Case No. 439 of 2023, G. R. No. 1587 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

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