

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4880 of 2024

Arising Out of PS. Case No.-882 Year-2021 Thana- MUZAFFARPUR TOWN
District- Muzaffarpur

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Suraj Sahni @ Suraj Kumar son of Kedar Sahni, resident of Village-
Balughat, Ward No. 17, Brahmasthan, P.S. Town, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar.
2. The State Of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad, Adv.

For the Opposite Party/s : Mr.Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 13-02-2024

1. Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

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

3. The learned counsel appearing for the petitioner submits
that the petitioner has antecedent of one case and the allegation is of
recovery of 2160 liters of liquor from the bush.

4. The learned counsel for the petitioner next submits that
the petitioner was not apprehended from the place of occurrence, as
such, nothing has been recovered from his conscious possession. It is
next submitted that even the alleged recovery is from a place which is
accessible to public at large and the petitioner came to be implicated in
the case by a co-villager but then the F.I.R. does not disclose the name



of the co-villager, who disclosed the name of the petitioner which cast aspersion on the case of the prosecution.

5. The learned A.P.P. opposes the anticipatory bail application of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks, is directed to be released on bail on furnishing bail bonds of Rs. 5,000/- (Five thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.1, Muzaffarpur in connection with Town (Sikandarpur O.P.) Case No. 882 of 2021 subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

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