

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13965 of 2019

Arising Out of PS. Case No.-858 Year-2018 Thana- TURKAULIYA District- East
Champaran

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NANKI SAHNI @ NANKI @ NITESH KUMAR aged about 21 years, Male,
Son of Yogendra Sahni @ Katari Sahni Resident of Village- Chilwariya, P.S.-
Banjariya (Turkauliya), District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 08-03-2019 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in
connection with Turkauliya (Banjariya) P.S. Case No. 858
of 2018 registered under Sections 272, 273 of the Indian
Penal Code and Section 30(a), 38(2), 41(1). of the Bihar
Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that in
the present case the petitioner has been falsely implicated.
He has no criminal antecedent. It is submitted that when the
patrolling party reached the place of the petitioner, they
were informed by local people that the room from where the
alleged illicit liquor has been recovered belongs to one



Pummi Singh. The allegation against the petitioner is that he used to come in the alleged room from where illegal liquor was recovered.

Learned counsel for the petitioner submits that the room from where the illicit liquor has been recovered does not belong to the petitioner and neither the petitioner was seen at the place of occurrence nor any incriminating article has been recovered from his possession. It is submitted that it is a case of misuse of the provisions of the Prohibition Act.

Learned A.P.P. for the State is present and has opposed the prayer for anticipatory bail.

In the given facts and circumstances of the case considering that the seizure is from the room of one Pummi Singh and that the petitioner has got clean antecedent, in the event of his arrest/surrender before the court below within a period of four weeks, let the above-named petitioner be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional & Sessions Judge – VII-cum-Special Judge, Excise, East



Champan, Motihari, in connection with Turkauliya (Banjariya) P.S. Case No. 858/2018, subject to condition that petitioner shall join investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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