

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36134 of 2019

Arising Out of PS. Case No.-97 Year-2019 Thana- LALGANJ District- Vaishali

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Virendra Sahani Son of Ramnath Sahni Resident of Village-Salempur, P.S.-
Lalganj, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dharmesh Kumar Shrivastava

For the Opposite Party/s : Mr.Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 17-08-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Lalganj P.S. Case No. 97/2019 registered under Sections 353, 467, 468, 471, 414, 307, 308, 34 of the Indian Penal Code and Section 34, 36, 30(a), 32(2), 41(1) of Bihar Excise and Prohibition Act, 2018.

Learned counsel for the petitioner submits that the illicit liquor has been recovered from a car and a motorcycle but neither the car nor the motorcycle belongs to the petitioner. It is submitted that as per allegations when on the basis of the statement of the apprehended accused the house of the petitioner was raided, from a hut situated in front of the house two Glamour Motorcycles are said to have been seized and they



seem to be stolen motorcycle. No illicit liquor has however been recovered. The petitioner has no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case wherein the car and motorcycle from which the illicit liquor have been recovered do not belong to the petitioner and the only allegation now is that from a hut situated in front of the house two motorcycles were seized which seem to be stolen motorcycles but there being no other material to connect the petitioner, 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-II-Cum-Special Judge, Excise, Vaishali at Hajipur, in connection with Lalganj P.S. Case No. 97 of 2019, subject to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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