

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42301 of 2019

Arising Out of PS. Case No.-115 Year-2017 Thana- SIMRI District- Darbhanga

Jokhan Sahni @ Jokhan Sahani S/o Late Badri Sahni, R/o Village- Sanathi,
P.S.- Bochahan, Distt.- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha, Advocate
For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 19-09-2019 Heard learned counsel for the petitioner. No one
appeared on behalf of the State.

The petitioner in the present case is seeking anticipatory bail in connection with Simari P.S. Case No. 115 of 2017 registered for the offences punishable under Sections 414, 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

Learned counsel for the petitioner submits that although the vehicle in question is registered in his name but the same is not in his possession as it is being utilised by the members of the family and the petitioner was not aware of any transportation of illicit liquor from the vehicle in question.

No one has appeared to oppose the prayer of anticipatory bail of the petitioner.



In the given facts and circumstances of the case where it is the contention of the petitioner that he is not in possession of the vehicle and no material has been brought before this Court by the prosecution to demonstrate that the illicit liquor was being transported in the vehicle in question with the knowledge of this petitioner, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today in connection with Simari P.S. Case No. 115 of 2017 corresponding to G.O. Excise Case No. 1557 of 2017 be released on bail on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge V-cum-Special Judge, Excise, Darbhanga, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;



(iii) a condition that the person shall not leave India
without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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