

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57063 of 2019**

Arising Out of PS. Case No.-172 Year-2019 Thana- RIGA District- Sitamarhi

Sanjay Sahni, S/o Kishore Sahani R/o village- Dhanudshi Rebasi, P.S.- Riga,
District- Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar

For the Opposite Party/s : Mr.Nand Kishore Prasad

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 09-09-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with Riga
P.S. Case No.172 of 2019, for the offence punishable under
Sections 272, 273 of the Indian Penal Code and Section 30(A) of
Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner as per the First
Information Report is that police upon secret information raided the
house of Saheb Sahni and recovered 30 litres of illicit liquor and
also searched the field of Hariom Kumar and recovered 150.210
litres of IMFL from there.

Learned counsel for the petitioner submits that the name
of the petitioner has come on the basis of secret information
received by the police. Learned counsel for the petitioner further
submits that he has got no criminal antecedent and has falsely been
implicated in this case based upon the secret information received



by the police. Learned counsel further submits that no illicit liquor has been recovered from the conscious possession or the premises belonging to the petitioner and upon perusal of the First Information Report and seizure list, no offence under the Excise Act is made out against the petitioner.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the fact that no illicit liquor has been recovered from the conscious possession or premises belonging to the petitioner and the petitioner has got no criminal antecedent, as such, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II-cum-Special Judge, Excise Act, Sitamarhi, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

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(Anil Kumar Sinha, J)

