

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56513 of 2019

Arising Out of PS. Case No.-251 Year-2019 Thana- BAHADURPUR District- Darbhanga

VIKASH SAHNI Son of Asarfi Sahni Resident of Village - Pandasarai, P.S.-
Bahadurpur, and Dist.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha

For the Opposite Party/s : Mr.Kanhaiya Kishore (App)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-09-2019 The petitioner apprehends his arrest in connection with
G.O. Excise Case No. 504 of 2019 arising out of Bahadurpur
P.S.Case No. 251 of 2019 registered under Sections 30(a) and 41(i)
of the Bihar Prohibition and Excise Act (hereinafter referred to as
the 'Act').

Allegation against the petitioner, as per FIR, is that the
police got secret information that some persons were indulged in
unloading illicit liquor from a pick up van, proceeded towards the
place of occurrence and upon seeing the police party, persons over
there tried to flee away, however, the police identified the
petitioner along with others with the help of Chaukidar and spy. It
has further been alleged that the police recovered a total quantity
of 189 litres of illicit liquor from the said pick up vehicle, Bolero.

Learned counsel for the petitioner submits that petitioner
has falsely been implicated in this case merely on the basis of his
named having been disclosed by the local Chaukidar and spy.



Learned counsel referring to paragraph 7 of his bail application, submits that pick up vehicle from which illicit liquor has been recovered does not belong to the petitioner.

After having heard learned counsel for the parties and taking into consideration the fact that illicit liquor has not been recovered from the conscious possession or from the vehicle belonging to the petitioner and petitioner has got no criminal antecedent, as such I am inclined to grant anticipatory bail to the petitioner. Let the petitioner, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-Special Judge(Excise Act) in connection with G.O. Excise Case No. 504 of 2019 arising out of Bahadurpur P.S.Case No. 251 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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