

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60077 of 2019

Arising Out of PS. Case No.-376 Year-2018 Thana- HARSIDHI District- East Champaran

Kanhai Sahani @ Kanhey Sahane, Son of Raja Sahani, Resident of Village-
Damobriti, P.S.- Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hemant Kumar Sharan

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 15-10-2019 This is an application for grant of anticipatory bail in connection with Harsidhi P.S. Case No. 376 of 2018, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the F.I.R. there is recovery of 15 liters of illicit liquor from one Chandeshwar Sahani and at his instance the motorcycle of the petitioner was recovered and there is recovery of liquor from the motorcycle also.

Submission of the learned counsel for the petitioner is that the name of the petitioner transpires on the basis of confessional statement of the co-accused. Motorcycle does not belong to the petitioner.

Heard learned A.P.P. also, who has opposed the prayer for bail stating that there is specific allegation that recovery is



from the motorcycle of the petitioner and as such, he does not deserve anticipatory bail.

Having heard both sides, in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner may move before the learned court below for regular bail, which will be considered by the learned court below, on its own merit, without being prejudiced by order of this Court, and if possible, be disposed of on the same day.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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