

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62356 of 2019

Arising Out of PS. Case No.-65 Year-2019 Thana- PURNAHYA District- Sheohar

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NARESH SAHNI Son of Dhanai Sahni Resident of Village- Piprahi
Punarwas, P.S.- Purnahiya, District- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Devendra Kumar

For the Opposite Party/s : Mr.Rina Sinha

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 15-10-2019 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Purnahiya P.S. Case No.65 of 2019 registered under Section 30(a) of
the Bihar Prohibition and Excise Act, 2016, pending in the court of
the 1st Additional Sessions Judge-cum-Special Judge, Excise,
Sheohar.

The accusation is that on receiving secret information
about supply of liquor at Piprarhi Punarwas Bandh, the informant
along with other police personnel reached there. At that time, one
motorcycle was seen coming. While attempt was made to check the
motorcycle after stopping the same but two persons borne on the
motorcycle tried to flee away, however, they were apprehended, who
disclosed their name as Naresh Sahni (petitioner), son of Dhanai



Sahni, and Baiju Sahni, son of Devnarayan Sahni. On query, Naresh Sahni (petitioner) disclosed that his brother Suresh Sahni used to get delivery of liquor from Nepal. Thereafter, on the indication of Naresh Sahni (petitioner), son of Dhanai Sahni, three sacks, containing 295 bottles of 300 ml. Nepali liquor, were recovered but, at that time, Naresh Sahni (petitioner), son of Dhanai Sahni, succeeded to flee away.

Learned counsel appearing on behalf of the petitioner submits that the petitioner was not apprehended on the spot but he has falsely been implicated in this case.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer of the petitioner for grant of anticipatory bail stands rejected. However, the petitioner is directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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