

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69668 of 2019

Arising Out of PS. Case No.-85 Year-2019 Thana- TAJPUR District- Samastipur

Sanoj Sahni aged about 40 years (male) Son of Vishwanath Sahni, Resident of Village- Indarwara, P.S. Tajpur Halai District Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-11-2019 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Tajpur (Halai O.P.) P.S. Case No. 85 of 2019 registered under Section 30(a), 41(1), 41(2) of the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioner as per the First Information Report is that the Police intercepted a truck from where consignment of liquor was being unloaded and upon raid the Police recovered total quantity of 2191 liters of illicit English liquor and 432 liters of Beer.

Mr. Jitendra Naraain Sinha, learned counsel appearing for the petitioner submitted that the raid was conducted on 28.03.2019 and the F.I.R. was lodged on 29.03.2019 and the



First Information Report was sent before the court of learned Special Judge, Excise, Samastipur after lapse of about 04 days on 02.04.2019 and altogether sixteen persons have been made accused in this case. Learned counsel further submits that petitioner has got no criminal antecedent and his name has transpired in the First Information Report on the basis of secret information allegedly received by the Police. Learned counsel further submits that the illicit liquor was recovered from a field kept in a truck not belonging to the petitioner and the petitioner is neither the owner of the truck nor the owner of the field where the truck was standing. Learned counsel further submits that no illicit liquor has been recovered from the conscious possession of the petitioner or from the premises of the petitioner nor the vehicle belongs to the petitioner.

Having heard learned counsel for the parties and taking into consideration the fact that no illicit liquor has been recovered from the conscious possession of the petitioner or from the premises of the petitioner nor the vehicle belongs to the petitioner and the petitioner has got no criminal antecedent, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, let the petitioner Sanoj Sahni in the event of his 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 anticipatory bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 2nd cum Special Judge, Excise, Samastipur in connection with Tajpur (Halai O.P.) P.S. Case No. 85 of 2019 subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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