

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81016 of 2019

Arising Out of PS. Case No.-107 Year-2019 Thana- MAHINDWARA District- Sitamarhi

AKHILESH SAHNI Son of Late Kishori Sahni Resident of Village -
Mahindwara, P.S.- Mahindwara, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Thakur

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-12-2019 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner apprehends his arrest in connection with Mahindwara P.S. Case No. 107 of 2019 for the offence punishable under Section 414 of the Indian Penal Code and Sections 30(a), (b), (c), (F)/38/41 of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of huge quantity of illicit liquor from a truck and some cars stationed at the place of occurrence, which is said to be a public place. The name of the petitioner is stated to have transpired during the course of confessional statement made by the co-accused, who was arrested from the spot.

The learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in the present case and the fact is that neither the truck nor the cars nor the illicit liquor recovered from the place of occurrence belong to the petitioner. Thus, the learned counsel for the petitioner submits that no offence under the provisions of the Bihar Prohibition and Excise Act, 2016 is made out.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioner above named is directed to be released on anticipatory bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge cum Special Judge Excise Act, Sitamarhi in connection with Mahindwara P.S. Case No. 107 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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