

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83012 of 2019**

Arising Out of PS. Case No.-30 Year-2012 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

=====

Shankar Sahni Son of Ram Dayal Sahni Resident of Village-Amour, Police
Station-Khanpur, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No. 7
For the Opposite Party/s : Mr. Kalyan Shankar

=====

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 16-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner apprehends his arrest in connection with
Excise Case No. 30 of 2012 registered for the offence
punishable under Section 47(a) of the Bihar Prohibition &
Excise Act-2018.

Around 14 lts. of foreign liquor is said to have been
recovered from the grocery shop of the petitioner.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious



physical possession of the petitioner. He has no concern either with the seized liquor or with the grocery shop. The grocery shop is not hailing to the petitioner. Petitioner has been falsely implicated in this case at the instance of his enemy by the personnel of Excise Department. Petitioner happens to be farmer and is residing in the village but, no step for apprehension of the petitioner in connection with the aforesaid case was ever made. However, petitioner learnt about lodging of the aforesaid false and frivolous case against him on receiving summon from the court recently. Offence is said to have been taken place before promulgation of the new Bihar Prohibition & Excise Act. Petitioner has no criminal antecedent.

On the other hand, learned APP opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Addl. Sessions Judge cum Special Judge Excise, Samastipur in connection with Excise Case No. 30 of 2012, subject to the condition as laid down



under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

rohit/-

U		T	
---	--	---	--

