

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29543 of 2020

Arising Out of PS. Case No.-908 Year-2019 Thana- TURKAULIYA District- East
Champaran

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RANJIT SAHANI S/o Prabhu Sahani Resident of Village-Chailaha Kothi,
P.S.-Banjariya, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma,
Mr. Abhishek Kumar, Advocates
For the Opposite Party/s : Mr. Vinod Shankar Modi, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-12-2020 Heard Mr. Umesh Chandra Verma, learned counsel

for the petitioner and Mr. Vinod Shankar Modi, Additional

Public Prosecutor for the state through video conferencing.

2. Petitioner apprehends his arrest in connection with

Turkauliya (Banjariya) PS Case No. 908/2019 registered for the

offence punishable under Section 30 (a) of the Bihar Prohibition

and Excise Act.

3. The allegation, as per FIR, is that the police after

getting secret information, that petitioner was carrying illicit

liquor on a motorcycle, proceeded towards the place of

occurrence and seeing the police party, one person fled away

after leaving the motorcycle and the police recovered 66 litres of

country made liquor from the said motorcycle. Villagers

disclosed the name of the person who fled away as petitioner,



Ranjit Sahani.

4. Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent and he has not committed any offence in the manner alleged. Learned counsel, referring to para-11 of the present petition, submits that petitioner is not the owner of the said motorcycle and has got no concern with the liquor recovered from the motorcycle. Learned counsel next submits that no liquor has been recovered from the conscious possession of the petitioner nor the said vehicle belongs to him from where the recovery of illicit liquor was made and his name has been dragged on the basis of disclosure of his name by the villagers.

5. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that no liquor has been recovered from the conscious possession of the petitioner nor the said vehicle belongs to him from where the recovery of illicit liquor was made and petitioner has got no criminal antecedents, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, petitioner, RANJIT SAHANI shall be released on anticipatory bail, in the event of arrest or surrender within six weeks, on furnishing bail bond of Rs. 10,000/- (Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned 9th Additional Sessions Judge-cum-Special Judge, Excise Court, Motihari, East Champaran in connection with Turkauliya (Banjariya) PS Case No. 908/2019, subject to the conditions as laid down under Section 438(2) CrPC.

7. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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