

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1754 of 2020**

Arising Out of PS. Case No.-252 Year-2019 Thana- BIBHUTIPUR District- Samastipur

Nanhaki Sahni @ Nanhaki Sahni Son of Gaj Sahni Resident of Village-
Bajitpur Bambaiya, Ward No.10, P.S.- Vibhutipur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raja Ram Mishra

For the Opposite Party/s : Mr.Upendra Kumar

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 27-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 as amended by Amendment Act 8 of 2018.

It is alleged that from the hutment of the petitioner, 8 litres of country made liquor were recovered.

It is submitted by learned counsel for the petitioner that the hutment does not belong to the petitioner and a statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the recovery has been made from the hutment of the petitioner.



Considering the fact that the recovery alleged to have been made from the hutment of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner. However, in view of the nature of recovery, it is a case for consideration of prayer for regular bail by the learned Court below, if the petitioner surrenders before the learned Court below within a period of six weeks from today in connection with Vibhutipur P.S. Case No. 252 of 2019, pending in the Court of learned Additional Sessions Judge-II -cum- Special Judge, Excise Act, Samastipur.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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