

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85204 of 2019

Arising Out of PS. Case No.-74 Year-2018 Thana- MOTIHARI TOWN District- East
Champaran

=====

Bhola Sahni, Son of Ramdhari Chaudhary @ Dhari Sahani, Resident of
Village - Agarwa, P.S.- Town Thana, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Anand Kishore Choudhary

For the Opposite Party/s : Mr.Kalyan Shankar

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Section 30(a) of
Bihar Prohibition and Excise Act, 2016.

It is alleged that from the sales booth of Narad Sahani,
1.800 litres of Indian Made Foreign Liquor were recovered.
Subsequently, co-accused Narad Sahani disclosed the name of
several persons including the petitioner who had escaped from
the scene seeing the police party. It is further alleged that at the
instance of Narad Sahani, 17 litres of Indian Made Foreign
Liquor were recovered from behind the wooden shop near the
boundary wall and the petitioner used to sell the liquor from
behind the wooden shop near the boundary wall.

It is submitted by learned counsel for the petitioner



that the recovery has not been made from conscious physical possession of 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 name of the petitioner has been disclosed by apprehended accused.

Considering the fact that the recovery has not been made from conscious physical possession of the petitioner and statement being made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 9th Additional District & Sessions Judge -cum- Special Judge, Excise Act, East Champaran, Motihari in connection with Motihari Town P.S. Case No. 74 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

DKS/-

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

