

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38352 of 2020

Arising Out of PS. Case No.-64 Year-2020 Thana- DIGHA District- Patna

ANIL SAHNI SON OF RAM NARAYAN SAHNI RESIDENT OF
VILLAGE - RUPAULI BUZURG, TOLE GOHDA, P. S. -
MUSRIGHARARI, DISTRICT – SAMASTIPUR.

... .. Petitioner.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

Appearance :

For the Petitioner : Mr. Abhay Shankar Singh, Advocate.
For the State : Mr. Rajeev Nayan, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 08-07-2021 As prayed for, through Video Conferencing, let the learned counsel for the petitioner remove the defect(s), as pointed out by the office vide its notes dated 22.12.2020, within four weeks of starting of the Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State, through Video Conferencing.

The petitioner apprehends his arrest in connection with Digha P.S. Case No.64 of 2020 registered under Sections 30(a) and 37(b)(c) of the Bihar Prohibition and Excise Act.

The accusation is that in course of patrolling duty, when the informant along with other police personnel reached near Ramjichak Canal, then a white colour Scorpio vehicle



bearing Registration No.B.R.-06P.B.-6607 was found standing there. On seeing the police party, the persons, who were present in the said vehicle, started to flee away but, on chase, they were apprehended, who disclosed their name as Keshav Kumar Singh alias Chintu, Sanjeev Kumar, son of Ramesh Prasad, Kanhaiya Kumar, Sanjeev Kumar, son of Nageshwar Singh, and Ranjeet Kumar. From the mouth of the aforesaid apprehended persons, the smell of liquor was coming out. On search of the said vehicle, three bottles, each containing 750 ml. Rum, and one empty bottle of rum of 750 ml., were recovered.

Learned counsel for the petitioner submits that the petitioner has no criminal antecedent and he has falsely been implicated in this case being the owner of the seized vehicle. In fact, the said Scorpio vehicle of the petitioner was hired for “Barat”, which was being driven by his Driver Ranjeet Kumar, and the persons of the Barat Party took the liquor in the way. The petitioner had no knowledge in that regard.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the Special Judge, Excise, Patna, in connection with Digha P.S. Case No.64 of 2020, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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