

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31278 of 2021**

Arising Out of PS. Case No.-259 Year-2020 Thana- BACHHWARA District- Begusarai

1. WIRJAN SAHNI Son of Sipahi Sahni Resident of Village - Suro, P.S.- Bachhwara, District - Begusarai
2. Sirjan Sahni @ Shrijan Kumar Son of Sipahi Sahni Resident of Village - Suro, P.S.- Bachhwara, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Dinesh Maharaj, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      16-02-2022                      At the very outset, it is submitted by learned counsel for the petitioners that during pendency of this application, petitioner no.1, namely, Wirjan Sahni has been arrested, hence, he seeks permission to withdraw this application.

In view of aforesaid submissions, this application is dismissed as withdrawn against petitioner no.1, namely, Wirjan Sahni.

So far as petitioner no.2, namely, Sirjan Sahni @ Shrijan Kumar is concerned, learned counsel for the petitioner is pressing this application against him.

Heard learned counsel for the petitioner no.2 and learned APP for the State.



Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defect(s) as pointed out by the office when called upon to do so by the office.

The petitioner no.2 is apprehending his arrest in a case registered for the offences punishable under Sections 30(a) (d) of the Bihar Prohibition and Excise Act, 2016.

It is a case of recovery of about 18 liters of country made wine from the bush.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case. He further submits that there is no recovery from the conscious or constructive possession of the petitioner. He further submits that the name of the petitioner was disclosed by the local Chaukidar.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

In the facts and circumstances of the case, let the petitioner no.2, namely, Sirjan Sahni @ Shrijan Kumar in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned



Special Judge, Excise Act, Begusarai in connection with  
Bachhawara P.S. Case No. 259 of 2020, subject to the  
conditions as laid down under Section 438(2) of the Cr.P.C.

**(Sunil Kumar Panwar, J)**

brajesh kumar/-

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