

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43468 of 2021**

Arising Out of PS. Case No.-39 Year-2021 Thana- BALIGAON District- Vaishali

ANIL SAHNI SON OF LATE RAM NIWAS SAHNI R/O VILLAGE AND
P.S.- BALIGAON, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmesh Kumar
For the Opposite Party/s : Mrs. Pushpa Sinha

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 29-01-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

Learned counsel for the petitioner undertakes to remove the defects within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30 (a) (d) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 5 liters of country made liquor and 200 liters of semi manufactured Mahua liquor is said to have been recovered from the joint



house of the petitioner and the petitioner managed to escape. He has no concern either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He has been falsely implicated in this case at the instance of his enemy by planting the aforesaid recovery. There is violation of Section 100 Cr.P.C. The house of the petitioner is inhabited by his several family members and he had no knowledge of keeping of the said liquor in the house. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Petitioner is agreed to deposit a sum of Rs.10,000.00 (Rupees Ten Thousand) in the account of Bihar Kishore Nyay Nidhi, bearing Saving Bank Account No.35094613009, IFSC Code: SBIN0000153, State Bank of India, Patna Secretariat Sinchai Bhawan Branch, Patna, Branch Code 153.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two



sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Baligaon P.S. Case No.39 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, subject to the further conditions that

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.10,000.00 (Rupees Ten Thousand) in the account of Bihar Kishore Nyay Nidhi.

(Anjani Kumar Sharan, J)

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