

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35979 of 2022

Arising Out of PS. Case No.-27 Year-2021 Thana- BIRUPUR District- Lakhisarai

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BINOD SAHNI SON OF LATE CHANDRIKA SAHNI RESIDENT OF
VILLAGE- REPURA, P.S.- BIRUPUR, DISTRICT- LAKHISARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Irshad, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 75 empty liquor bottles from the house of the
petitioner and 25 liters of liquor from a motorcycle at Birupur
Electrical Grid.

Learned counsel for the petitioner has been falsely
implicated in the present case, it is next submitted that he was not
present at the place of occurrence as such he was not arrested and
hence nothing was recovered from his conscious possession.

Learned counsel further submits that no liquor was found from his house rather, it is alleged that empty bottles were found, it is also submitted that it is not possible for a person to consume 75 bottles of liquor, further, there was absolutely no occasion for the petitioner to keep empty bottles, it is also submitted that he came to be implicated based on secret information which is the easiest way to implicate an innocent person when petitioner admittedly is a person with clean antecedent.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Birupur P.S. Case No. 27 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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