

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48246 of 2022

Arising Out of PS. Case No.-560 Year-2022 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

VINOD SAHNI Son of Late Ramchandra Sahni Resident of Akharaghat,
Sabji Mandi, Near Sudha Dudh Booth, P.S.- Town, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K., Advocate
For the Opposite Party/s : Mr.Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-09-2022 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) 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 12.240 litres of liquor from a hut.

Learned counsel for the petitioner submits that the
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession, it is further
submitted that the hut also does not belong to the petitioner as
has been specifically pleaded at paragraph '7' of the anticipatory



bail application and his name transpired in the confessional statement of Soni Devi which has no evidentiary value. It is next submitted that Soni is her daughter and she was arrested merely on apprehension that the liquor belonged to the accused persons as they had their vegetable shop near the hut from where the alleged recovery was made.

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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Muzaffarpur Town P.S. Case No. 560 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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