

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52523 of 2022

Arising Out of PS. Case No.-167 Year-2022 Thana- BHAGWANPUR District- Vaishali

=====

Pabitar Sahni @ Pabitra Sahni Son Of Jagdev Sahni @ Surajdeo Sahni @
Suryadev Sahani R/O Village- Patti Bandhu Rai, P.S.- Bhagwanpur, District-
Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh

For the Opposite Party/s : Mr.Pradeep Narain Kumar

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-11-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Bhagwanpur P.S. Case no. 167 of 2022 instituted for the
offence under Sections 272, 273 of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 197.64 liters
illicit country made foreign liquor from two motorcycle and and
a four wheeler car.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. Petitioner has no concern with the alleged recovery of



illicit country made foreign liquor or with the place of occurrence. The name of the petitioner has been disclosed in this case on confessional statement of the co-accused, namely, Suraj Kumar who was arrested on spot. The petitioner is the registered owner of the motorcycle in question but neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession.

Learned APP appearing for the State has opposed the prayer of Bail and submitted that the motorcycle from where recovery has been made, belongs to the petitioner.

The petitioner is directed to deposit a sum of Rs 10,000/- (Ten Thousand) in the District Legal Services Authority of concerned District.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Bhagwanpur P.S. Case no. 167 of 2022, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court



No.1 Cum Additional Sessions Judge, Viahali at Hajipur
subject to the conditions as laid down under section 438(2) of
the Cr.P.C.

The bail bonds of the petitioner shall be accepted by
the learned court below on showing the receipt of deposit of Rs.
10,000/- (Rs. Ten thousand) by the petitioner in the account of
the concerned DLSA.

(Sunil Kumar Panwar, J)

amandeep/-

U		T	
---	--	---	--

