

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54015 of 2022

Arising Out of PS. Case No.-99 Year-2022 Thana- CHACKMEHSI District- Samastipur

Pancham Sahni, Son Of Ayodhi Sahni Resident Of Village - Namapur Khedhi,
P.S.- Chakmehsi, District - Samastipur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Ms. Rita Verma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Section 30(a)
of the Excise Act, 2018.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 7.50 litres of liquor from petitioner's house.

The learned counsel for the petitioner submits that the
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is also submitted
that the alleged recovery is from a house which is a joint family
property and as such, it cannot be alleged that it was the
petitioner, who had kept the liquor in the house. It is next



submitted that since the wife of the petitioner was standing outside the house, as such, she was arrested and she was made to confess about the involvement of the petitioner in the offence in police custody.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Chakmehsi P. S. Case No.99 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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