

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67720 of 2022

Arising Out of PS. Case No.-889 Year-2019 Thana- KANTI District- Muzaffarpur

MADAN SAHNI S/o Late Jagarnath Sahni R/o Village- Kanti Kaswa, P.S.-
Kanti, Distt- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-12-2022 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 Kanti P.S. Case no. 889 of 2019 instituted for the offence under Sections 272 and 273 of the IPC and Section 30(a) of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of 12 litres of illicit liquor from the motorcycle of the petitioner, which was being driven by his neighbour, who was arrested on spot.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. At the time of alleged incident, petitioner was languishing in judicial custody in another case. Petitioner has



no concern with the alleged recovery. Only because of his ownership of the vehicle, he has been implicated in the present case. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

Learned APP appearing for the State has opposed the prayer of Bail.

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 Kanti P.S. Case no. 889 of 2019, 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 Judge, Excise, Court No. II, Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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