

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70925 of 2022

Arising Out of PS. Case No.-140 Year-2022 Thana- MANIYARI District- Muzaffarpur

SANTOSH KUMAR SAHNI Son of Nandu Sahani Resident of Village -
Aganagar, P.S.- Maniyari, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-12-2022 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 petitioner is a person with clean antecedent and allegation is of recovery of 57 litres of liquor from two motorcycle, as detailed in the FIR.

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 next submitted that he came to be implicated based on secret information which is the easiest way to implicate someone,



when admittedly petitioner is a person with clean antecedent, it is also submitted that petitioner is neither the owner nor the driver of the alleged seized vehicle.

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. 1,000/- (Rupees One Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Maniyari P.S. Case No. 140 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Learned trial court before accepting the bail bonds of the petitioner shall verify his criminal antecedent and if it is found that the petitioner has antecedent even of a single case, then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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