

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25744 of 2023**

Arising Out of PS. Case No.-511 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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PANKAJ SAHNI @ PANKAJ KUMAR CHAUDHARY SON OF PUKAR
SAHNI @ RAM PUKAR CHAUDHARY @ RAM PUKAR SAHNI R/O
VILL NAGARBASTI, WARD NO 8, PS WARISNAGAR (MATHURAPUR
OP), DIST- SAMSTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate
For the Opposite Party/s : Md. Anbzarul Haque Sahara, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-05-2023 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 336.960 liters of liquor from a bush.

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 next submitted
that even the alleged recovery is from a place which does not
belong to the petitioner and is accessible to public at large and
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 it appears that police, in order to save the real culprits, falsely implicated the petitioner based on secret information and thereafter got his name disclosed by the *Chowkidar* also.

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 each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Excise P.S. Case No. 511 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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