

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47901 of 2023

Arising Out of PS. Case No.-222 Year-2022 Thana- PIPRAHI District- Sheohar

DEVENDRA SAHNI Son of Jota Sahni @ Jot Sahani @ Jot Narayan Sahani
Resident of village - Belwa Narkatiya, P.S. - Piprahi, Distt. - Sheohar

... .. **Petitioner**

Versus

THE STATE OF BIHAR

... .. **Opposite Party**

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar, Advocate
For the Opposite Party/s : Ms.Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Piprahi P.S. Case No. 222 of 2022 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2018. He has no criminal antecedent as stated in paragraph '3' of the application.

3. As per the prosecution story, on 04.09.2022, while the informant was on patrolling duty, he received secret information that the accused persons are selling illicit liquor in the field at village Narkatia on the bank of river, he along with other police personnel reached there total 41 liters of country made liquor were recovered from there.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned



counsel submits that nothing incriminating article has been recovered from the conscious possession of the petitioner, he has been made accused only on mere suspicion.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the submission that the illicit liquor has not been recovered from the conscious possession of the petitioner, he has been made accused on mere suspicion and that the petitioner has got no criminal antecedent, this Court, therefore, directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise, Sheohar, in connection with Piprahi P.S. Case No. 222 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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