

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55789 of 2023

Arising Out of PS. Case No.-39 Year-2023 Thana- MORO District- Darbhanga

RANJIT SAHNI S/O MOHAN SAHNI R/O VILLAGE-
MOHAMMADPUR, P.S.- MORO, DIST.- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

4. Allegation is of recovery of 4 litres of liquor from
the semi constructed house of the petitioner.

5. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and even the house
from where the recovery is alleged to have been made was not
habitable as it was under constrcution and thus was accessible
even to the villagers at large but the police in a mechanical



manner implicated the petitioner when admittedly petitioner is a person with clean antecedent. It is further submitted that no prudent person would use his own premise for committing an occurrence and thus would create evidence against himself and hence would get implicated when even the alleged recovery is of very meager amount of liquor.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. 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, 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 court below where the case is pending/successor court in connection with Moro P.S. Case No. 39 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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