

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57355 of 2023

Arising Out of PS. Case No.-96 Year-2023 Thana- PIYAR District- Muzaffarpur

Vikash Sahani, aged about 25 years, Male, Son of Chhathu Sahani, Resident of Village- Sakriman, PS- Hatha O.P. (Piar), District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate
For the State : Mr. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 31-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Piar P.S. Case No. 96 of 2023 dated 20.05.2023 instituted under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is total 437.4 litres of foreign liquor recovered from the Scorpio vehicle and the accused person fled away.

4. Learned counsel for the petitioner submits that the petitioner has no concern with the said Scorpio vehicle nor with the seized liquor and he has been falsely implicated in this case. The petitioner is not the owner nor the driver of the Scorpio vehicle. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has two



criminal antecedents in which he is on bail.

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

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise Court No. II, Muzaffarpur in Piar P.S. Case No. 96 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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