

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65037 of 2023

Arising Out of PS. Case No.-939 Year-2023 Thana- AHIYAPUR District- Muzaffarpur

Sahindra Sah S/o- Late Munshi Sah, Resident of Village- Laxmi Chauk, P.S.-
Brahmpura Dist- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate.

For the Opposite Party/s : Mr. Khurshid Anwar, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Ahiyapur P.S. Case No. 939 of 2023 dated 28.07.2023, instituted under Sections 420, 467, 468, 471, 414, 120(B) of the Indian Penal Code read with Sections 30(a)(b), 32(ii)(iii), 36, 41(i)(ii) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there is total recovery of 10567.800 liter different brand of foreign liquor from the Truck, Tata Pickup and Mahindra Tempo from the *Godam* of Md. Arshad.

4. Learned counsel for the petitioner submits that petitioner is the owner of land and the said land was given on rent to the co-accused Md. Arshad for establishing *Kabar*



business vide registered Kirayanama and the petitioner has no concern with the seized liquor, Truck, Tata Pickup or Mahindra Tempo and he was not the driver of the said vehicle. He further submits that petitioner has no knowledge about any illegal business of the co-accused persons. Learned counsel submits that antecedent of petitioner is clean.

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

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/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Exclusive Special Judge, Excise Court No.1, Muzaffarpur in connection with Ahiyapur P.S. Case No. 939 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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