

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71292 of 2023

Arising Out of PS. Case No.-197 Year-2023 Thana- TEGHRHA District- Begusarai

NEMO SAHNI S/O JATUHU SAHNI R/O VILLAGE- NONPUR, P.S-
TEGHRA, DISTT.- BEGUSARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Maharaj

For the Opposite Party/s : Mr. Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 07-11-2023 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This application for grant of anticipatory bail arises out
of Teghra Police Station Case No. 197 of 2023, disclosing offence
under Sections 30(a)/30(c)/36 of the Bihar Prohibition and Excise
Act, 2018 (hereinafter referred to as 'the Act').

3. As per the First Information Report, police got a secret
information that the petitioner along with other accused persons was
engaged in manufacture of wine behind the Middle School, Nonpur,
proceeded towards the place of occurrence and upon seeing the
police party, some persons started fleeing away and 30 liters of
countrymade liquor, gas stove and utensils were recovered from
behind the Middle School.

4. Learned Counsel for the petitioner submits that the
petitioner is having no criminal antecedent and he has been made
accused on the basis of secret information received by the police. He



further submits that the illicit liquor has not been recovered from the conscious possession and/or premises belonging to the petitioner. The liquor has been recovered from an open space which is accessible to all.

5. After having heard learned Counsel for the parties concerned and taking into consideration the fact that the petitioner is having no criminal antecedent, the illicit liquor has not been recovered from his conscious possession and the same has been recovered from the open space, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, Nemo Sahni, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-1, Begusarai, in connection with Teghra Police Station Case No. 197 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

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