

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79144 of 2023

Arising Out of PS. Case No.-501 Year-2022 Thana- TAJPUR District- Samastipur

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Siyaram Sahni Son Of Late Dorik Sahni Resident Of Village - Gunayi Basahi,
P.S. - Tajpur, District - Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Nityanand

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Tajpur P.S. Case No. 501 of 2022 registered for the offences punishable under Section 30(a), 41(i), 41(2) of the Bihar Prohibition and Excise Amendment Act, pending in the Court of learned Special Judge Excise Court No. 02, Samastipur.

3. As per the prosecution case, 2 liter of country made mahua liquor is said to have been recovered from the hut of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that



the recovery was made from the joint residential house-cum-hut. He further submits that nothing has been recovered from the possession of the petitioner. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State vehemently opposing the bail petition submitted that the said illicit liquor was recovered from the house of the petitioner.

6. Considering the facts and circumstances of case and the fact that the illicit liquor was recovered from the house of the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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