

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11858 of 2024

Arising Out of PS. Case No.-42 Year-2011 Thana- GOVERNMENT OFFICIAL COMP.
District- Darbhanga

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RAMBRIKSH SAHANI S/O LATE JAILAL SAHANI @ CHHITAN
SAHANI R/O MOHALLA- MOGALPURA, DHOBIPATTI TOLA, P.S-
LAHERISARAI, DISTT.- DARBHANGA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 04-03-2024 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 47(a) of the
Bihar Prohibition and Excise Act.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case.
4. Allegation is of recovery of 12 litres of liquor from
the rental 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 alleged
house is a rental property as such it cannot be alleged with
certainty that it was the petitioner who had kept the liquor in the



house or the liquor kept in the house was within his knowledge. It is further submitted petitioner came to be implicated at the instance of the local people but then the FIR does not disclose the name of the person who disclosed the name of the petitioner which casts an aspersion the case of the prosecution.

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.5,000/- (Rupees Five 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 G.O. Excise Case No. 42 of 2011, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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