

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13011 of 2024

Arising Out of PS. Case No.-477 Year-2023 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Dinesh Sahni Son of Radheshyam Sahni R/V- Madhuban, P.S.- Kalyanpur,
District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-03-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 30(a) of Bihar Prohibition and Excise (Amendment)
Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and allegation is
of recovery of 08 liters of liquor from a motorcycle.

4. It is next submitted that petitioner was not arrested
from the spot as such nothing was recovered from his conscious
possession and came to be implicated based on the based on the
fact that he is owner of the motorcycle. It is next submitted that
no prudent person would use his own vehicle for committing an



occurrence and thus would create evidence against himself and hence would get implicated. It is also submitted that petitioner was completely unaware that Govind Kumar would misused the vehicle in the manner as alleged as he was also apprehended from the spot.

5. The learned APP for the State opposes the anticipatory bail application.

6. 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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Samastipur (Muffasil) P.S. Case No.477 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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