

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21531 of 2024

Arising Out of PS. Case No.-112 Year-2021 Thana- Excise P.S. District- Samastipur

Bhola Sahni Son Of Late Mahendra Sahni Resident Of Village- Pakridih,
Ward No. 7, Ps- Kalyanpur, Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anu Priyadarshni

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 08-05-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather 27 litres of foreign liquor is said to have been recovered from the hut of the petitioner. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

4. Learned APP for the State opposes the prayer for bail.

5. Considering the facts that the said illicit liquor



has been recovered from the hut of the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Samastipur Excise P.S. Case No. 112 of 2021.

6. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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