

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33962 of 2024

Arising Out of PS. Case No.-76 Year-2024 Thana- PARSA District- Saran

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Umesh Sahani @ Umesh Kumar Sahani s/o Nageshwar Sahani R/O village-
Hasanpura Murahi ,P.S.- Maker , Dist - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 13-05-2024 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
Sections 30(a), 32(3), 41 of the Bihar Prohibition and Excise
Act in connection with Parsa P.S. Case No.76 of 2024.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of two cases and allegation is of
recovery of 530 liters of liquor from five boats near bank of a
river.

4. It is next submitted that petitioner was not arrested



from the spot as such nothing was recovered from his conscious possession and is not the owner of the any of the seized boats and he came to be implicated based on confessional statement of Anil in police custody which does not have any evidentiary value.

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.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Third Exclusive Special Excise Judge, Saran at Chapra in connection with Parsa P.S. Case No.76 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than two cases, in that event, the present anticipatory bail order shall not be given



effect.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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