

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35518 of 2024

Arising Out of PS. Case No.-70 Year-2024 Thana- MANIYARI District- Muzaffarpur

Dinesh Sahni Son of Ram Waran Sahni @ Rambalak Sahni R/O Vill.-
Gopalpur Taraura, P.S.- Mushahari, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Kumar

For the Opposite Party/s : Mr.Bishweshwar Ram

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 09-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Maniyari P.S. Case No. 70 of 2024 instituted for the offences under Sections 420, 467, 468, 471, 120B of the Indian Penal Code and Sections 30(a), 32(1), 32(2), 36, 41(1) of the Bihar Prohibition and Excise Act.

3. The Prosecution case, in short, is that, 6549.83 liters of liquor was recovered from three vehicles, out of which 90 liters has been recovered from the vehicle of the petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. No incriminating article has been



recovered from the conscious possession of the petitioner. Petitioner has no concern either with the seized vehicles or with the wine in question. The provision of Section 100 of the Cr.P.C. has not been followed in this case, while preparing the seizure list. It is next submitted that the petitioner has got one criminal antecedent in which he is on bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/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. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Maniyari P.S. Case No. 70 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure

(Rudra Prakash Mishra, J)

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