

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36422 of 2024

Arising Out of PS. Case No.-387 Year-2021 Thana- MOTIPUR District- Muzaffarpur

Vicky Sahni @ Vikram Kumar Rana S/o- Harendra Sahni Village- Bisunpur
Chulhai Ps- Motipur Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Nitu Kumari, Advocate

For the Opposite Party/s : Mr.Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 25-06-2024 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 272, 273 of the IPC and Section 30(a), 34 and 36 of the Bihar Prohibition and Excise Act in connection with Motipur P.S. Case No.387 of 2021.

3. The learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 05 liters of liquor from a place near the hut of the petitioner.

4. It is next submitted that petitioner was not arrested



from the spot as such nothing was recovered from his conscious possession and even alleged recovery is from a place which does not belong to the petitioner, but then is adjacent to his house and is accessible to public at large and he came to be implicated at the instance of 'Chowkidar' with whom he is on an inimical term. It is also submitted that police in majority of the cases implicates mechanically either at the instance of the Chowkidar or local people.

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.5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise Court No.II, Muzaffarpur in connection with Motipur P.S. Case No.387 of 2021, 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 one case, 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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