

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43911 of 2024**

Arising Out of PS. Case No.-19 Year-2024 Thana- MANJHAUL District- Begusarai

Sudhir Sahni, Son Of Sheetal Sahni Village- Chharapatti, Ward No. 20, Ps-
Chiraiya, Dist- Begusarai

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Braj Bhusan Poddar
For the Opposite Party/s : Ms.Asha Kumari

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

- 2 11-07-2024 1. Heard learned counsel for the petitioner and
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), 30(b) and 30(c) of the Excise Act.
3. The learned counsel for the petitioner submits
that the petitioner has antecedent of one case and allegation
is of recovery of 120 litres of liquor along with 1000 litres of
mahua pass from a place near Kanwar jheel.
4. The learned counsel for the petitioner submits
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 and is accessible to public at large and he came to be implicated based on confessional statement of apprehended accused in police custody, which does not have any evidentiary value.

5. Learned A.P.P. opposes the 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. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of Sri Rakesh Kumar Singh, the learned Exclusive Special Excise Judge-1st, Begusarai in connection with Manjhaul P. S. Case No.19 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. 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 application shall not be given effect to.

(Satyavrat Verma, J)

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