

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43616 of 2024

Arising Out of PS. Case No.-19 Year-2024 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

Kalpu Sahni Son of Hiyalal Sahni Village- Sitalpatti, Ward No. 6, P.S.-
Muffasil, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Anu Priyadarshni
For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Samastipur Muffasil P.S. Case No.19/2024 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per prosecution case, there is alleged recovery of 297 liter foreign liquor from the house of co-accused Arun Kumar. Local Chaukidar disclosed the name of petitioner and other who fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged



in the FIR and he has falsely been implicated in this case. The petitioner has inimical term with the local Chaukidar who disclosed the name of the petitioner. He further submits that nothing has been recovered from the conscious possession of the petitioner. The petitioner is not in any way connected with the alleged occurrence. In the light of the aforesaid submission, no case is made out against the petitioner under the provision of Bihar Prohibition and Excise Act.

5. The learned A.P.P. for the State opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise-1, Samastipur/Court Concern, Samastipur in connection with Samastipur Muffasil P.S. Case No.19/2024, subject to the conditions as laid down under Section 438(2) of



the Cr.P.C.

(Alok Kumar Pandey, J)

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