

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51672 of 2024

Arising Out of PS. Case No.-108 Year-2024 Thana- BAKHARI District- Begusarai

Pratap Sahni @ Ram Pratap Sahni, aged about 58 years, Sex-Male, S/o
Munshi Sahni, R/o Village- Godiyari, P.S. - Bakhri, Distt. - Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Bipin Kumar, Advocate

For the Opposite Party : Mr. Md. Nazir Ansari, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 20-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Bakhri P.S. Case No. 108 of 2024 dated 27.03.2024 registered for the offences punishable under Sections 30(a) and 30(d) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 75 litres of illicit country made liquor and other articles for preparation of liquor were recovered from the *hut (Karkat)* of the petitioner.

4. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in the present case. It is submitted that no incriminating article has been recovered from the conscious possession of the petitioner and the said recovered liquor was planted by the police in connivance with the *Mahal Choukidar*. It is further submitted that the other co-accused person Niraj Sahani @ Niraj Kumar @ Niraj Kumar Sahni has already been granted anticipatory bail by a Bench of this Court vide Cr. Misc. No. 32387 of 2024 under order dated 23.05.2024. The petitioner has one criminal antecedent in which he is on bail as stated in paragraph no. 3 of the bail application.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-II, Begusarai, in connection with Bakhri P.S. Case No. 108 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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