

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54360 of 2024

Arising Out of PS. Case No.-165 Year-2024 Thana- Excise P.S. District- Vaishali

Rama Shankar Sahni @ Ram Shankar Sahni SON OF LATE DAROGA
SAHNI VILLAGE- DUMARI RANIPOKHAR, PS- SARAI, DIST-
VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar
For the Opposite Party/s : Mr. Braj Kishore Pd.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 06-08-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 30(a) of the
Bihar Excise Act.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of four cases as would manifest from the
pleadings made in the supplementary affidavit and allegation is of
recovery of 54 liters of liquor from a bush behind the house of the
petitioner.
4. 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 the 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 at
the instance of local villagers. It is next submitted that police in



mechanical manner implicates either at the instance of *Chowkidar* or local persons without holding proper inquiry.

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

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Hajipur Excise P.S. Case No. 165 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear 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 four cases in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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