

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56546 of 2024

Arising Out of PS. Case No.-811 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

Pappu Sahani @ Pappu Kumar Sahani S/o Late Ram Chandra Sahani R/o vill
- Badanpur Milki @ Milki, P.S. - Mahua, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-08-2024 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 offence punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

4. Allegation is of recovery of 1186.200 litres of
liquor from a Tata Pick-Up.

5. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is further submitted
that petitioner is not the owner or driver of the seized vehicle
and his name transpired in the confessional statement of co-
accused Anil Sharma in police custody which does not have any



evidentiary value in the eye of law.

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

7. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Hajipur Sadar P.S. Case No. 811 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, the learned trial court, before accepting the bail bonds of the petitioner, shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of even one case in that event the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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