

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58962 of 2024

Arising Out of PS. Case No.-290 Year-2024 Thana- KANTI District- Muzaffarpur

INDAL SAHNI SON OF KANHAI SAHNI RESIDENT OF VILLAGE -
PAKARI, P.S. - KANTI, DISTRICT - MUZAFFARPUR (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar
For the Opposite Party/s : Mr. Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 11-09-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Kanti Police Station Case No. 290 of 2024, dated 15.06.2024, disclosing offences under Section 30(a) of the Bihar Prohibition and Excise Act.
3. The prosecution case, as per the First Information Report, is that on 15.06.2024, in the evening, the police, on secret information that two persons are carrying illicit liquor by a scooty, reached at the place of occurrence. Upon seeing the police party the persons riding the scooty, bearing Registration No. BRO6-CZ-3273, started fleeing away, however, one person, namely, Akhilesh Giri, was apprehended and other succeeded in fleeing away. Upon



search, a total quantity of 80 liters of illicit liquor kept in a sack from the scooty was recovered. Upon enquiry, the apprehended co-accused person disclosed the name of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case and the name of the petitioner has transpired on the basis of confessional statement made by the co-accused Akhilesh Giri, who have previous enmity with the petitioner. The scooty from where illicit liquor has been recovered does not belong to the petitioner. He further submits that illicit liquor has not been recovered from the conscious possession of the petitioner and/or from the premise or vehicle belonging to him. The petitioner has got no criminal antecedent.
5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that name of the petitioner has transpired on the basis of confessional statement of the arrested co-accused, the scooty from the where illicit liquor has been recovered does not belong to the petitioner and the petitioner has got no criminal antecedent, I am inclined to grant the



petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No. II, Muzaffarpur, in connection with Kanti Police Station Case No. 290 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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