

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63390 of 2024

Arising Out of PS. Case No.-70 Year-2024 Thana- SISWAN District- Siwan

Monu Sahni son of Kashi Sahni @ Kashi Malah village- Gangapur Siswan,
P.S.- Siswan, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar

For the Opposite Party/s : Mr. Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 21-09-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Siswan P.S. Case No. 70 of 2024, registered under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the informant states that seeing the police personnel one person started to flee and managed to escape. It is stated that 55 litres of illicit country liquor was recovered from two bags. On inquiry, it was secretly disclosed by the villagers that the person who has escaped was the petitioner and he was involved in sale of liquor.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The petitioner was neither arrested at the spot nor any incriminating article has been recovered from his possession. He has falsely been implicated at the instance of his enemy. He has no concern with



the seized article nor the place of seizure. The petitioner has no criminal antecedent.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R., no incriminating article having been recovered from the possession of the petitioner and especially the petitioner not having any antecedent under the Bihar Prohibition and Excise Act, 2016, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Siswan P.S. Case No. 70 of 2024, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Exclusive Special Excise Court No. II, Siwan, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Partha Sarthy, J)

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