

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65822 of 2024

Arising Out of PS. Case No.-162 Year-2024 Thana- BARGAINIA District- Sitamarhi

Akshay Sahni @ Akshay Kumar S/O Late Madan Sahni Resident of Village-
Madhu Chhapra, P.S- Bairagania, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar

For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-09-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 30(a)(c) of the Bihar Prohibition and Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case and allegation is of
recovery of 694.2 liters of liquor from a sugarcane field.

4. It is next submitted that petitioner was not arrested
from the spot and as such nothing was recovered from his
conscious possession and even 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
Chowkidar. It is next submitted that police in majority of the



case implicates either at the instance of Chowkidar, local police, confessional statement or secret information in a mechanical manner without holding a proper investigation. It is also submitted that at times in order to save the real culprits, police implicates.

5. The learned APP for the State opposes the anticipatory bail application.

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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-1, Sitamarhi in connection with Bairangania P.S. Case No. 162 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. It is made clear that 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 one cases, in that event, the present anticipatory bail order shall not be given



effect to.

8. The application stands allowed.

(Satyavrat Verma, J.)

Sudhanshu/-

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