

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65947 of 2024

Arising Out of PS. Case No.-267 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Hridayesh Sahni @ Haridayesh Sahni Son of Ram Bharos Sahni @
Ramabharos Sahni Resident of Village- Reora, Ward No. 04, Police Station-
Khanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar, Adv.

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-10-2024 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner apprehends his arrest in connection with
Samastipur Excise P.S. Case No. 267 of 2020 for the offences
punishable under Section 30 (a) of the Bihar Prohibition and
Excise Amendment Act, 2018.

3. Altogether 13 litres of country made liquor has been
recovered from a cattle shed, which belongs to the petitioner.

4. It is submitted by learned counsel for the petitioner that
the petitioner is quite innocent and has committed no offence.
No incriminating article has been recovered from the conscious
physical possession of the petitioner. Petitioner has no concern
either with the seized liquor or the place of recovery or any trade



of liquor. The allegation levelled against the petitioner is totally false and based on concocted facts. His name has been transpired in the present case due to enmity. The alleged cattle shed, from where recovery has been made, does not belong to the petitioner, rather the same belongs to the joint family. Petitioner had no knowledge of keeping of the said liquor in the hut like cattle shed. He was not apprehended on the spot. The police party never enquired the matter nor approached the real owner, which clearly shows the highhandedness of the police. Petitioner has one criminal antecedent as mentioned in para 3 of the bail application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case as well as the place of recovery i.e. a cattle shed belongs to the petitioner, I am not inclined to enlarge him on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. Accordingly, this application stands dismissed.

(Anjani Kumar Sharan, J)

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