

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66194 of 2024

Arising Out of PS. Case No.-1311 Year-2024 Thana- Excise P.S. District- Muzaffarpur

=====

Brajesh Sahni @ Brajesh Kr. Sahni @ Brajesh Kumar Sahni S/o- Ganaur Sahni @ Gaunour Sahani Vill- Barkagaon ward no 2, Ps- Karja Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ravi Nandan

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

=====

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 Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The learned counsel for the petitioner submits that the petitioner has antecedent of two cases and allegation is of recovery of 279 liters of liquor from Baragaon Chawar.

4. The learned counsel for the petitioner submits 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



based on the secret information which is the easiest way to implicate someone. It is also submitted that once an accused is implicated in a case relating to Excise, the police starts implicating mechanically.

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. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Court No.2, Muzaffarpur in connection with .Excise P.S. Case No. 1311 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 two cases, in that event, the present anticipatory bail order shall not be given effect.



8. The application stands allowed.

(Satyavrat Verma, J.)

Sudhanshu/-

U		T	
---	--	---	--

