

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66127 of 2024

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

Umesh Sahni Son of Sakaldeo Sahni Village -Barkagaon, Ward No 4, PS-
Karja, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Singh
For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 11-09-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State, Mr. Rabindra Kumar.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 30(a) of the
Bihar Excise Act.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of five cases and allegation is of recovery
of 279 liters of liquor from village Barkagaon Uttari.
4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and even the 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 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. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Muzaffarpur Excise P.S. Case No. 1311 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear 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 five cases in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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