

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67891 of 2024

Arising Out of PS. Case No.-92 Year-2024 Thana- SAHEBGANJ District- Muzaffarpur

Ravindra Sahni S/o Shivnath Sahni Resident of Village- Hussepur Naya Tola,
PS- Sahebganj, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Madan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-09-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 272 and
273 of the Indian Penal Code as well as Sections 30(a) and
30(d) of the Bihar Prohibition and Excise (Amendment) Act,
2022.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases.

4. Allegation is of recovery of 120 litres of liquor
along with 5000 litres of fermented Mahua from a place near the
bank of a river.

5. 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. It is further submitted that petitioner came to be implicated at the instance of the Chawkidar but then it is submitted that the police in majority of the cases implicate either at the instance of the Chawkidar, local people, secret information or confessional statement in a mechanical manner without holding proper investigation of the case.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sahebganj P.S. Case No. 92 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, the learned trial court, before accepting the bail bonds of the petitioner, shall verify the criminal



antecedent of the petitioner and 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 to.

(Satyavrat Verma, J)

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