

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76712 of 2024

Arising Out of PS. Case No.-335 Year-2024 Thana- TURKAULIYA District- East
Champaran

Tara chand Sahani @ Tara chandra Sahni S/O Late Dashaee Sahani R/O
Village-Majhariya ,P.S-Turkauliya (Raghunath Pur),District-East Champaran
... .. Petitioner/s

Versus

The State of Bihar Bihar
... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr.Vijay Shankar Shrivastava
For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-11-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with
Turkauliya P.S. Case No. 335 of 2024 dated 25.07.2024
registered under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act 2022.

3. As per the First Information Report when the police party
on 25.07.2004 was on patrolling duty, one person riding on a
motorcycle started fleeing away upon seeing the police party.
The police chased, but he managed to escape leaving his
motorcycle on the spot. Upon search, 36 liters of country made
liquor was recovered from the said motorcycle and the
petitioner has been identified by the local Dafadar and
Chaukidar.

4. Learned counsel for the petitioner submits that petitioner is



having no criminal antecedent and the illicit liquor has not been recovered from his conscious possession and / or vehicle belonging to him. Referring to paragraph no. 6 of the bail application, learned counsel submits that petitioner is not the owner of the motorcycle and his name has transpired on the basis of disclosure made by Chaukidar and local Dafadar.

5. Regard being had to the submission made by the parties, taking into consideration the fact that petitioner is having no criminal antecedent and he is not the owner of the motorcycle, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No. 1, East Champaran at Motihari in connection with Turkauliya P.S. Case No. 335 of 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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(Anil Kumar Sinha, J)

