

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.77590 of 2024**

Arising Out of PS. Case No.-81 Year-2024 Thana- LAUHIYANAGAR District- Begusarai

Bablu Sahni Son of Punna Sahni @ Ram Sagar Sahni village- Ward No. 36,  
Ashok Nagar, Pokhriya, P.S.- Town, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      20-11-2024      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 Section 30(a) of the Bihar Prohibition and Excise Act.

3. Altogether 8 litres of country made liquor has been recovered from the seized rickshaw. One person was apprehended on the spot and disclosed the name of the petitioner, who got succeeded in fleeing away.

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 possession of the petitioner or from his house. He 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. He is neither owner nor driver of the seized rickshaw. He was not apprehended on the spot. There is nothing on record to indicate the complicity of the petitioner barring the confessional statement of the apprehended person which has no evidentiary value in the eye of law. His name has been transpired in the present case due to animosity. Learned counsel further submits that petitioner has four criminal antecedents out of which three are of similar nature of offence that of the present case.

5. Petitioner is agreed to deposit a sum of Rs. 20,000.00 (Rupees Twenty Thousand) in account of Mahavir Cancer Sansthan, Patna bearing Account No. 3332964762, IFSC Code: CBIN0282779, MICR Code: 800016018, Central Bank of India, Chitkohra Branch, Patna.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Lohiya Nagar P.S. Case No. 81 of 2024, subject



to the condition as laid down under Section 438 (2) of the Cr.P.C, subject to the further conditions that

(1) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

7. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in Mahavir Cancer Sansthan, Patna.

**(Anjani Kumar Sharan, J)**

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