

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86578 of 2023

Arising Out of PS. Case No.-250 Year-2023 Thana- BAJPATTI District- Sitamarhi

Sanjeev Sahni @ Ram Pravesh Sahni S/O Ram Prasad Sahni R/O Village-
Rasalpur, P.S.- Bajpatti, Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 31-01-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Bajpatti PS case no. 250 of 2023, disclosing
offences punishable under Section 30(a) of Bihar Prohibition
and Excise (Amendment) Act, 2018.
3. The prosecution story, as per the First Information
report, is that the police, on the basis of secret information,
intercepted a motorcycle and recovered 81 liters of Nepali Saufi
liquor from the same and arrested one person, who disclosed
that the liquor was to be delivered at the place of Manesh Sahni
and Ram Pravesh Sahni.
4. Learned Counsel for the petitioner submits that the



petitioner is having no criminal antecedent and he has been made accused on the basis of disclosure of his name by the arrested co-accused namely Alauddin Mansoori, from whose possession, illicit liquor has been recovered. He further submits that the motorcycle, from where illicit liquor has been recovered, does not belong to the petitioner. He also submits that illicit liquor was not recovered either from the conscious possession of the petitioner or from the vehicle belonging to the petitioner.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is having no criminal antecedent, he is not the owner of the motorcycle and no illicit liquor has been recovered from the conscious possession of the petitioner, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court no.- II, Sitamarhi in connection with Bajpatti PS case no. 250 of 2023,



subject to the condition laid down under Section 438 (2) of the
Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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