

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1843 of 2025

Arising Out of PS. Case No.-1588 Year-2024 Thana- AHIYAPUR District- Muzaffarpur

Rajesh Sahni @ Bantha Son of Late Yogendra Sahni Resident of Ward No.-
12, Harpur Lahaura, P.S.- Ahiyapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manindra Kishore Singh

For the Opposite Party/s : Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 2 05-02-2025 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 offence punishable under Sections 30(a), 41
of Bihar Prohibition and Excise Act, 2022.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of three cases and allegation is of
recovery of 1214.250 litres of liquor from a truck and a pick up
van as detailed in the F.I.R. It is next submitted that petitioner
was not arrested from the spot as such nothing was recovered
from his conscious possession and is not the owner of any of the
seized vehicle and he came to be implicated based on
confessional statement of apprehended accused in police
custody, which does not have any evidentiary value.
4. Learned A.P.P. for the State opposes the prayer for
anticipatory bail of the petitioner.



5. 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 Court below within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.50,000/- (Rupees fifty 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 Ahiyapur P.S. Case No.1588/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. One of the bailors of the petitioner shall be his son-in-law, namely, Sunil Kumar.

7. It is made clear that the learned trial court shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of more than three cases, in that event, the provisional anticipatory bail order shall not be confirmed but if on verification it is found that petitioner has antecedent of three cases, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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