

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5355 of 2025

Arising Out of PS. Case No.-489 Year-2023 Thana- HARSIDHI District- East Champaran

Rahul Sahani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Narsingh Tanti, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 31-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in Harsidhhi P.S. Case No. 489 of 2023 registered under Sections 272, 273 of the Indian Penal Code and Section 30(a), 30(d), 32 and 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case in short, is that 70 litres of country made liquor was recovered from Damoviriti Chawar and 1400 litres of raw wine was recovered and destroyed.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the recovery is from an open place, which is accessible to one and all. It is further submitted that local chowkidar disclosed the name of the petitioner. The petitioner has got three criminal antecedents.



5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that the petitioner bears three antecedents. Hence, the petitioner does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and criminal antecedents of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner.

7. The prayer is *rejected*. However, the petitioner is directed to surrender in the Court below and pray for regular bail. If any such application is filed, the Court below shall consider and dispose of the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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