

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5769 of 2025

Arising Out of PS. Case No.-223 Year-2024 Thana- Excise P.S. District- Samastipur

Rajkant Sahni S/O Satto Sahni R/o Village- Patpara Uttar, PS- Bhibhutipur,
Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 24-02-2025 Heard learned counsel for the parties.

2. The petitioner in this application prays for grant of anticipatory bail apprehending his arrest in connection with Excise P.S. Case no. 223 of 2024 registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, on a search being conducted 40 litres of liquor was recovered from the motorcycle in question and two accused were arrested. The FIR was registered against the said two accused and the registered owner of the vehicle in question.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. Neither the petitioner was arrested at the spot nor any incriminating



article recovered from his possession. The cause of his false implication is that he happens to be the registered owner of the vehicle in question. He has no criminal antecedent and undertakes to cooperate in the investigation/trial.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R., no incriminating article having been recovered from the petitioner’s possession and specially the petitioner not having any antecedent under the Bihar Prohibition and Excise Act, 2016, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Excise P.S. Case no. 223 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise - II, Samastipur.

(Partha Sarthy, J)

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