

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6240 of 2025

Arising Out of PS. Case No.-350 Year-3023 Thana- MANJHAGARH District- Gopalganj

Upendra Sahani S/o- Motilal Sahani Village-Vishunpura, P.S.-Manjhagarh,
District-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Rai, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, 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 Manjhagarh P.S. Case no. 350 of 2023 registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, seeing the police personnel the petitioner is said to have abandoned 7.6 litres of liquor and fled away. It is stated that the said liquor was recovered from the possession of the mother of the petitioner.

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 or from his mother's



possession. 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 Manjhagarh P.S. Case no. 350 of 2023 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 Additional District and Sessions Judge-XIII-cum-Special Judge Excise I, Gopalganj.

(Partha Sarthy, J)

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