

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13932 of 2025

Arising Out of PS. Case No.-296 Year-2024 Thana- KHANPURA District- Samastipur

Vishuman Sahni @ Pinkesh Sahni S/o- Sri Kappal Sahni Village- Amsaur,
Ward no.07, P.S- Khanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Kumar Singh, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 14-05-2025 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, the recovery is of 52.5 liters of foreign liquor from a bamboo orchard.

4. Learned counsel for the petitioner submits that the name of the petitioner has surfaced in the present case on account of disclosure made by the local chowkidar and the local villagers stating that the bamboo orchard belongs to the petitioner. It has further been submitted that there is no recovery from the physical and conscious possession of the petitioner as the orchard is an open place which is accessible to all. Further there is no independent witness to the said seizure list.



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

6. Considering the above facts and circumstances, let the petitioner, above named who has no criminal antecedent, 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 Judge Excise-I, Samastipur, in connection with Khanpur P.S. Case No. 296 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482 (2) of the B.N.S.S., 2023 and and subject to the further condition that the petitioner shall co-operate in the investigation/trial.

(Soni Shrivastava, J)

Raj Ranjan/-

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