

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16091 of 2025

Arising Out of PS. Case No.-119 Year-2024 Thana- BISHANPUR District- Darbhanga

Santosh Sahni @ Santosh Kumar Son of Raja Ram Sahni Resident of Village-
Gangsara P.S.- Sarairanjan, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar Singh, Adv.
For the State	:	Ms. Shaheen Begum, APP.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 16-05-2025 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 offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. The recovery of total 936 litres of foreign liquor has been shown from a white colour Pick-up van.

4. Learned counsel for the petitioner submits that the allegation levelled against the petitioner is not correct and his name has transpired in the present case on account of wrong identification and suspicion raised by local *Chowkidar*. It is further submitted that no recovery was made from physical



and conscious possession of the petitioner. He is neither the owner nor the driver of the seized vehicle. It is next submitted that the petitioner will neither abscond nor tamper with the evidence rather will cooperate in the investigation.

5. Learned APP for the State opposes the prayer for anticipatory bail.

6. Considering the fact that there is no recovery from physical and conscious possession of the petitioner and also that petitioner has no criminal antecedent, I am inclined to grant the privilege of anticipatory bail to the petitioner. Let the petitioner, above named, 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 Special Judge-I (Excise Act), Darbhanga in connection with Bishanpur P.S. Case No.119 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023 and subject to the further condition that the learned Court below would verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it



is expected that the verification process would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

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