

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32493 of 2025

Arising Out of PS. Case No.-671 Year-2024 Thana- NAANPUR District- Sitamarhi

RANJIT SAHANI S/O CHHOTE SAHANI R/O Vill.- Banaul, P.S.- Bokhra,
Dist.- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Adv.
For the Opposite Party/s : Mr.Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner is apprehending arrest in connection
with Nanpur P.S. Case No. 671 of 2024 registered for the
offences punishable under Sections 30(a) of the Bihar
Prohibition and Excise (Amendment) Act.

3. As per prosecution case, there is alleged
recovery of 209.04 liters of illicit English wine from the half
constructed water tank. The apprehended co-accused Ram Babu
Sahani disclosed the name of the petitioner and others who are
said to have kept the illicit liquor at the place of occurrence.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence as alleged
in the first information report. Except disclosure of co-accused



Ram Babu Sahani, there is nothing on record to connect the present petitioner with the alleged occurrence. Petitioner was not found at the place of occurrence. The place from where the alleged recovery has been made is an open place which is accessible to all and petitioner cannot be held liable for the alleged recovery. No incriminating article has been recovered from possession of the petitioner. Petitioner bears criminal antecedent of five cases. Learned counsel orally submits that petitioner is on bail in all the cases. He further submits that because of having criminal antecedent, petitioner has been falsely implicated in the present case. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioner under the provisions of Bihar Prohibition and Excise Act. Learned counsel orally submits that petitioner is ready to cooperate in the investigation.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner, above named, in the event of arrest or surrender within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Special Judge, Exclusive Excise Court No. 2, Sitamarhi in connection with Nanpur P.S. Case No. 671 of 2024, subject to the conditions as laid down under section 482(2) of the Code of Criminal Procedure.

7. The application stands allowed.

8. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial Court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation, in that event, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Alok Kumar Pandey, J)

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