

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32507 of 2025

Arising Out of PS. Case No.-113 Year-2025 Thana- KANTI District- Muzaffarpur

Indal Sahni S/o Kanhai Sahni R/o Village- Pakri, PS- Kanti, Dist-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar, Adv.

For the Opposite Party/s : Mr.Nand Kishore Prasad, 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 Kanti P.S. Case No. 113 of 2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there is alleged recovery of 80 liters illicit country made liquor from the T.V.S. Star motorcycle in question. The apprehended co-accused Akhilesh Giri disclosed the name of the petitioner from whom he has purchased the said illicit liquor.

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 apprehended



co-accused Akhilesh Giri, there is nothing on record to connect the petitioner with the alleged occurrence. Learned counsel has orally submitted that petitioner has no concern with the motorcycle in question which was seized from the place of occurrence. Petitioner was not found at the place of occurrence. No incriminating article has been recovered from possession of the petitioner. Petitioner bears criminal antecedent of two cases. Learned counsel orally submits that petitioner is on bail in both the cases. 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.

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, Excise Court No. II, Muzaffarpur in connection with Kanti P.S. Case No. 113 of 2025, subject to the conditions as laid down under section 482(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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