

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.56069 of 2024**

Arising Out of PS. Case No.-182 Year-2024 Thana- Excise P.S. District- Samastipur

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Anil Kumar Sahni @ Anil Kumar @ Anil Sahni Son of Late Govind Sahni  
R/V-VILLAGE- CHAK MOTIPUR, P.S.- TAJPUR, DISTRICT-  
SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Anirudh Kumar Sinha, Adv  
For the Opposite Party/s : Mr.Parmanand Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND  
MALVIYA**

ORAL ORDER

2      17-01-2025                      Heard learned Counsel for the petitioner and  
  
Learned APP for the State.

2. The petitioner seeks bail in connection with  
Samastipur (Sadar) Excise P.S. Case No. 182 of 2024 dated  
17.06.2024 instituted for the offences punishable under Section  
30(a) of the Bihar Prohibition and Excise Act 2016.

3. As per the prosecution case, F.I.R. has been lodged  
against the present petitioner against whom there is an  
allegation of recovery of 22 litre of illicit liquor from a scooty  
bearing registration no. BR-33AN-9780.

4. Learned counsel for the petitioner submits that  
petitioner has falsely been implicated in this case. He further  
submits that he has clean antecedent. He further submits that



petitioner has not been arrested from the place of occurrence. He further submits that though the scooty used in the alleged crime is registered in the name of the petitioner but it was not being used by him rather other members was using.

5. Learned APP appearing for the State has opposed the prayer for bail of the petitioner and submits that granting anticipatory bail to the petitioner may effect the investigation of this case.

6. From perusal of the F.I.R., impugned order and case diary, it appears that petitioner is the registered owner of the scooty, *Prima Facie*, it appears involvement of the petitioner in this case.

7. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, the present petition is barred by Section 76(2) of Bihar Prohibition and Excise Act, 2016, I am not inclined to grant anticipatory bail to the petitioner.

8. Accordingly, prayer for anticipatory bail of the petitioner is hereby rejected.

**(Ramesh Chand Malviya, J)**

Sunnykr/-

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