

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80037 of 2025

Arising Out of PS. Case No.-317 Year-2025 Thana- SISWAN District- Siwan

Nagender Sahni S/O- Chandev Sahni R/V- Bhagar Diyara Ps- Siswan Dist-
Siwan Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvesh Kashyap
For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 03-12-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Siswan P.S. Case No.317 of 2025 dated 04.09.2025, registered for the offences under Sections 30(a) of Bihar Prohibition and Excise Act.

3. As per the FIR, one motorcycle and 153.620 liters of illicit liquor were allegedly recovered from a white sack that had been thrown on the road.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case solely on the basis of suspicion. No recovery has been made from the constructive possession of the petitioner, and he has no connection with the recovered liquor. It is further submitted that the name of the petitioner was disclosed by local persons whose identities have not been disclosed anywhere in the FIR. The petitioner also has no connection with the seized



motorcycle. Lastly, it is submitted that the petitioner has one prior criminal antecedent, on which he is currently on bail.

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

6. Regard being had to the submission made by the parties, taking into consideration the fact that illicit liquor has not been recovered from the constructive possession of the petitioner and petitioner is in no way connected with the seized liquor, accordingly, this Court is inclined to grant anticipatory bail to the petitioner.

7. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the Court below within a period of four weeks from today on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court-II, Siwan, in connection with Siswan P.S. Case No.317 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, 2023.

(Ajit Kumar, J)

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