

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88558 of 2024

Arising Out of PS. Case No.-31 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Darbhanga

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Lalan Sahni Son of Late Ramphal Sahni Resident of Village- Teliyahi,
Pokhar, Tatila, P.S.- Kamtaul, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kant Upadhyay, Adv.
For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner is apprehending arrest in connection with P.R. No. 31 of 2021 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per prosecution case, on secret information that business of illicit country made liquor is being done by the petitioner, Lalan Sahni, police conducted raid and recovered 1 liter country made liquor from 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 and he has been falsely implicated in this case. No incriminating article has been recovered from the conscious possession of this petitioner. The place of recovery is 1 km away from the house of the petitioner and petitioner has no concern with the alleged place of occurrence. Petitioner cannot be held liable for the said recovery. 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. Petitioner bears criminal antecedent of one case in which he is on bail.

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-I, Darbhanga in connection with P.R. No. 31 of
2021, subject to the conditions as laid down under section
438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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