

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.88844 of 2024**

Arising Out of PS. Case No.-81 Year-2024 Thana- Sri Nagar District- Purnia

Amit Sahni @ Amit Kumar Son of Aklesh Sahni Resident of Village and P.S.  
- Singhiya, Police Station - Shree Nagar, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rakesh Kumar Jha, Adv.  
For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

2      10-01-2025                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with  
Sri Nagar P S Case No. 81 of 2024 dated 06-10-2024  
instituted for the offence punishable under Section 30(a) of the  
Bihar Prohibition and Excise Act.

3. The allegation is of recovery of 32.625 litres of  
illicit foreign liquor from the Toto rickshaw.

4. Learned counsel for the petitioner submits that  
petitioner is innocent and he has been falsely implicated in this  
case. It is submitted that nothing has been recovered from  
conscious or physical possession of the petitioner rather 32.625  
litres of illicit foreign liquor has been recovered from the Toto  
rickshaw. The petitioner is not the owner of the said vehicle.



The said Toto rickshaw was being driven by co-accused Dilkhush Kumar, who was apprehended at the spot. Petitioner was made accused on the basis of suspicion and confessional statement of co-accused, namely, Dilkhush Kumar. Lastly, it has been submitted that two criminal cases are pending against him in which he is on bail.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No.1 Purnea, in Srinagar P S Case No. 81 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 subject to the following condition:-

(i) At the time of accepting the bail bonds, the court below shall verify the fact whether the petitioner has clean antecedent or not. If it is found that the petitioner has clean antecedent, the Court below shall accept his bail bonds and if it is found that he has criminal antecedents then his bail bonds



shall not be accepted.

7. The application stands disposed of.

**(Khatim Reza, J)**

shyambihari/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

