

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.22941 of 2016**

Arising Out of PS.Case No. -48 Year- 2016 Thana -NAUTAN District-  
WESTCHAMPARAN(BETTIAH)

=====

1. Awadhesh Sah Son of Tulsi Sah  
2. Ramesh Sahani Son of Bhikhu Sahani  
3. Tabarak Mian Son of Late Hamid Mian All resident of village -  
Jhakhara Bazar, P.S. Nautan Jagdishpur, District - West Champaran  
..... Petitioner/s

Versus

1. The State of Bihar  
..... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Binay Kumar  
For the Opposite Party/s : Mr. Ram Anurag Singh (App)

=====

**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**  
**ORAL ORDER**

2      26-05-2016                      Heard learned counsel for the petitioners and learned  
counsel for the State.

The petitioners seek pre-arrest bail in connection with Nautan (Jagdishpur) P.S. Case No. 48 of 2016 registered under Sections 467, 468, 471, 420, 307, 120-B, 414, 272, 273 of the Indian Penal Code and Section 47(A) of the Excise Act.

It is submitted by the learned counsel for the petitioners that nothing has been recovered either from the possession of the petitioners or from their respective houses. The petitioners have been implicated in the present case on the statement of their enemies and they have nothing to do with the racket of manufacturing of illicit liquor. Referring to the allegations made in the FIR, it has been submitted that the alleged recovery of illicit liquor was made from the house of one

Indrashan Prasad and no cogent reason has been assigned as to why the petitioners have been made accused in the case. Lastly, it has been contended that another co-accused, namely, Ranjay Kumar Sah @ Sanjay Kumar Sah, whose case is identically situated to that of the petitioner, has already been granted anticipatory bail by a coordinate Bench of this Court by order dated 20.05.2016 passed in Cr.Misc. No. 22283 of 2016.

The submissions made at the Bar by the learned counsel for the petitioners have not been disputed by the learned counsel for the State.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender before the court below within six weeks from today, the petitioners, namely, Awadhesh Sah, Ramesh Sahani and Tabarak Mian are directed to be released on 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 the learned Sub-Judge-III, West Champaran at Bettiah in connection with Nautan (Jagdishpur) P.S. Case No. 48 of 2016, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

**(Ashwani Kumar Singh, J)**

Pradeep/-

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