

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12139 of 2020

Arising Out of PS. Case No.-130 Year-2019 Thana- LALGANJ District- Vaishali

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1. Prem Kishore Sahni @ Prem Kishore Kumar Son of Shree Lagan Sahni Resident of Village-Jafrabad, P.S.-Lalganj, District-Vaishali.
 2. Lagan Sahni Son of Shree Langar Sahni Resident of Village-Jafrabad, P.S.-Lalganj, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Bela Singh, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 03-07-2020 Heard learned counsel for the petitioners and learned
APP for the State through video conferencing.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Lalganj P.S. Case No.130 of 2019, registered under section 414 of the Indian Penal Code and section 30(a) of Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., on a raid being conducted, two accused persons namely Rupesh Kumar and Arun Kumar were arrested and about 200 litres of liquor was recovered. It is stated that two accused persons managed to escape and on enquiry, the accused persons who were arrested disclosed them to be the petitioners herein.

It is submitted by learned counsel for the petitioners that neither the petitioners were arrested at the spot



nor were any liquor recovered from their possession. They have been falsely implicated in this case. The only material against them is the confessional statement of a co-accused made before the police. The petitioners have no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of eight weeks from today and in the event of their arrest or surrender in connection with Lalganj P.S. Case No.130 of 2019, they will be enlarged on bail on furnishing bail bond of Rs 10,000.- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur, subject to the conditions as laid down in section 438 (2) of the Criminal Procedure Code.

(Partha Sarthy, J)

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