

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35125 of 2020

Arising Out of PS. Case No.-578 Year-2019 Thana- CHIRAIYA District- East Champaran

1. RAGHO SAHANI S/o Anurag Sahani R/o Vill.-Lalbegiya, P.S.-Chiraiya, Distt.-East Champaran
2. Chandeshar Sahani @ Chandeshwar Kumar S/o Ragho Sahani R/o Vill.-Lalbegiya, P.S.-Chiraiya, Distt.-East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 22-03-2021 Heard Mr. Dhananjay Kumar No. 2, learned counsel for the petitioners and Mr. Ajit Kumar, learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Chiraiya P.S. Case No. 578 of 2019 dated 26.12.2019 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2016.

On secret information that liquor is being brewed illegally, a raid was conducted in a hut from where two litres of country made is said to have been recovered. The petitioners are alleged to have run away from the place of raid.

Learned counsel for the petitioners has



submitted that there is no recovery from them. The place from where the recovery has been made does not belong to the petitioners. The petitioners were earlier made accused in a case vide Chiraiya P.S. Case No. 301 of 2019 under various Sections of the Penal Code including Section 307 of the IPC, but that case was lodged at the instance of one of the agnates of the petitioner and considering the merits of the case, the petitioners in that case were granted anticipatory bail.

Since nothing has been recovered from the possession of the petitioners, they are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, on their furnishing bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, East Champaran at Motihari in connection with Chiraiya P.S. Case No. 578 of 2019, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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