

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47829 of 2021

Arising Out of PS. Case No.-173 Year-2021 Thana- TAJPUR District- Samastipur

1. SUDHIR KUMAR SAHNI Son of Late Govind Sahani
 2. Sunil Kumar Sahni Son of Late Govind Sahni
Both Resident of Village - Chakmotipur, P.S. - Tajpur, District - Samastipur.
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Raj Kishore Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 21-12-2021 Heard learned counsel for the parties.

Let the defect(s), if any, be removed within four weeks after complete start of the physical Court.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Recovery of liquor is alleged from outside the house of the petitioners, who are full-brothers. One of the petitioners Sudhir Kumar Sahni has got no criminal antecedent and there is no direct material against him.

Hence, let petitioner no. 1 Sudhir Kumar Sahni in the event of his arrest or surrender before the learned Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to



the satisfaction of the learned court below where the case is pending in connection with Tajpur Police Station Case No. 173 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) Petitioner No. 1 shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of petitioner no. 1.

(b) Both the bailors shall be resident of territorial jurisdiction of the learned court below.

Since Petitioner No. 2 Sunil Kumar Sahni has got a criminal antecedent of identical nature, I am not inclined to enlarge him on anticipatory bail in connection with the aforesaid case pending in the Court of learned 2nd Additional Sessions Judge-cum-Special Judge (Excise Act), Samastipur/successor Court.

Petitioner No. 2 is directed to surrender within a period of two weeks from today and pray for regular bail.

(Birendra Kumar, J)

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