

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8631 of 2022

Arising Out of PS. Case No.-166 Year-2021 Thana- CHACKMEHSI District- Samastipur

1. SUNIL KUMAR @ SUNIL SAHNI @ SUNIL KUMAR SON OF SHANKAR SAHNI RESIDENT OF VILLAGE- BAKHTIYARPUR MATIARA, WARD NO -9, P.S- CHAKMEHSI, DIST- SAMASTIPUR
2. ARTI DEVI @ ARTI KMARI WIFE OF SUNIL KUMAR @ SUNIL SAHNI @ SUNIL KUMAR RESIDENT OF VILLAGE- BAKHTIYARPUR MATIARA, WARD NO -9, P.S- CHAKMEHSI, DIST- SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lakshmindra Kumar Yadav, Advocate

For the Opposite Party/s : Mr.Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-07-2022 Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and allegation is of recovery of 3 litres of liquor from the house of the petitioner no.1 Anil Sahni and Ajay Kumar, further 3 litres of liquor from a gallon from *bathan* of co-accused Sonu Kumar and 4 litres of liquor from the *bathan* of Ram Baran Sahni.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is



next submitted that the house is a joint family property and the petitioners were not arrested from the spot as such nothing was recovered from their conscious possession. It is also submitted that since house was a joint family property as such it cannot be alleged that it were the petitioners who kept the liquor in the house.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners and the fact that the petitioners are persons with clean antecedent and are husband and wife, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Chakmahesi P.S. Case No. 166 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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