

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12014 of 2022

Arising Out of PS. Case No.-516 Year-2021 Thana- SUGAULI District- East Champaran

1. SHAMBHU SAHANI Son of Baith Sahani Resident of Village - Telahiya, P.s.- Sugauli, Distt.- East Champaran.
2. Radha Sahani Son of Baith Sahani Resident of Village - Telahiya, P.s.- Sugauli, Distt.- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Ranjana Srivastava, Advocate

For the Opposite Party/s : Ms.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-07-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State through virtual Court proceedings.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 30(a) (b) (c) 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 400 litres of mahua jagery kept under a papaya tree which was situated behind the house of the petitioner along with 25 litres of liquor.

Learned counsel for the petitioners submits that the petitioners were not apprehended from the spot as such nothing



was recovered from their conscious possession, it is next submitted that the place of recovery is a place outside the house of the petitioner and the petitioner thus came to be implicated based on suspicion.

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, 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. 3,000/- (Rupees Three 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 Sugauli P.S. Case No. 516 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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