

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13660 of 2022

Arising Out of PS. Case No.-228 Year-2021 Thana- SUPPI District- Sitamarhi

1. Dinesh Sahni Son of Ram Chandra Sahni Resident of Village- Piprahi Punarwas, P.S.- Purnahiya, District- Sheohar.
2. Kishori Sahni Son of Ram Chandra Sahni Resident of Village- Piprahi Punarwas, P.S.- Purnahiya, District- Sheohar.
3. Nand Kishore Sahni Son of Ram Chandra Sahni Resident of Village- Piprahi Punarwas, P.S.- Purnahiya, District- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-07-2022 At the outset, counsel for petitioners seeks permission to withdraw the anticipatory bail application with regard to Kishori Sahni petitioner no. 2, as during pendency of this case petitioner no. 2 has been arrested.

Permission be accorded. The anticipatory bail application with regard to Kishori Sahni petitioner no. 2 is dismissed as withdrawn having become infructuous.

Heard learned counsel for the petitioners and learned A.P.P for the State through video conferencing.

The petitioners apprehend their arrest in Suppi P.S. Case No. 228 of 2021, registered for the offence punishable



under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

661.800 litres of Nepali liquor has been recovered from the bank of Bagmati river and this petitioner was seen fleeing away from the place of recovery.

It is submitted that nothing has been recovered from conscious possession of petitioners. Recovery has been made from open place which is accessible to general public. Petitioner no. 3 claims clean antecedent.

Counsel for the State however, vehemently opposed the prayer for bail and submitted that petitioner no. 1 has got criminal antecedent of similar nature.

Considering the criminal antecedent of Dinesh Sahni petitioner no. 1, I am not inclined to enlarge him on anticipatory bail. Accordingly, the same is rejected

So far as Nand Kishore Sahni petitioner no. 3 is concerned he has got clean antecedent, Nand Kishore Sahni petitioner no. 3 in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the



satisfaction of the learned Special Judge Exclusive Special
Excise Court-1, Sitamarhi in connection with Suppi P.S. Case
No. 228 of 2021, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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