

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19218 of 2022

Arising Out of PS. Case No.-371 Year-2021 Thana- SAHEBGANJ District- Muzaffarpur

Chandan Singh Son Of Jai Praksh Singh @ Murli Singh R/O Village- Jagdari,
P.S.- Sahebganj, District- Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 20369 of 2022

Arising Out of PS. Case No.-371 Year-2021 Thana- SAHEBGANJ District- Muzaffarpur

SHIV KUMAR SAHANI S/o Sipahi Sahani Resident of Village- Hussepur
Naya Tola, P.S.- Sahebganj, Dist- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 19218 of 2022)

For the Petitioner/s : Mr. Prakash Chandra

For the Opposite Party/s : Ms. Sharda Kumari

(In CRIMINAL MISCELLANEOUS No. 20369 of 2022)

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

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-08-2022 Heard learned counsel for the petitioners and learned
APP for the State through virtual court proceedings.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 272, 273,
34 of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act.



2457.320 liters of foreign liquor was recovered from Utkrimit Middle School, Hussepur, Nayatola. Allegation against the petitioners is that they are involved in the trade of illicit liquor.

Learned counsel for the petitioner submits that petitioners are innocent and have falsely been implicated in the present case. It is further submitted that there is no recovery from the conscious possession of the petitioners. Petitioner Chandan Singh has got one criminal antecedent and petitioner Shiv Kumar Sahani has got two criminal antecedents as stated in paragraph-3 of the bail applications.

Petitioners are ready to deposit a sum of Rs.1,00,000/- (rupees one lakh) **each** in Bihar Kishore Nyay Nidhi, Apna Ghar, Near Lalit Bhawan, Bailey Road, Patna bearing Saving Bank Account No.35094613009, State Bank of India, Branch Name Patna Secretariat Sinchai Bhawan, Branch Code-153, IFSC Code-SBIN0000153.

Taking into consideration the fact aforesaid and the fact that there is no recovery from the conscious possession of the petitioner, let 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 enlarged on bail on



furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise-2nd, Muzaffarpur in connection with Sahebganj P.S. Case No.371 of 2021, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be own blood relative of the petitioners, preferably, father, mother, brother, sister and/or their wife.

(ii) The petitioners shall not indulge themselves in any similar offence till conclusion of the trial.

(Anjani Kumar Sharan, J)

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