

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21331 of 2022

Arising Out of PS. Case No.-378 Year-2021 Thana- TEGHRHA District- Begusarai

1. JITENDRA SAHNI
2. Rajeev Sahni
3. Pawan Sahni @ Pawan Kumar Sahni, All S/o Munnu Sahni, All R/o village-Fardi, P.S. - Teghra, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No.1, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-08-2022 Heard learned counsel for the petitioners and learned A.P.P. for the State through the virtual Court proceedings.

Learned counsel for the petitioners submits that petitioner no. 1 and 2 were arrested during the pendency of the anticipatory bail application, thus, seeks permission to withdraw the prayer for anticipatory bail against them.

Permission is accorded.

Let the defect(s), if any, be removed within a period of four weeks.

The petitioner no. 3 apprehends his arrest in a case registered for the offences punishable under Sections 30(a), 30(c) and 36 of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner no. 3 submits that petitioner no. 3 is a person with clean antecedent.



Allegation is of recovery of 91.125 litre of liquor from a boat at the bank of Balan River.

Learned counsel for the petitioner no. 3 submits that petitioner no. 3 was not arrested from the spot, as such, nothing was recovered from his conscious possession and the alleged recovery is from a place which is accessible to public at large, further even the boat does not belong to the petitioner no. 3.

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

Considering the submissions made by the learned counsel for the petitioner no. 3 and the fact that petitioner no. 3 is a person with clean antecedent, the petitioner no. 3 above-named, in the event of his 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 Teghra P.S. Case No. 378 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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