

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21692 of 2022

Arising Out of PS. Case No.-56 Year-2022 Thana- LADANIA District- Madhubani

1. DILIP SAHNI, Male, aged about 30 years, S/o Parikshan Sahni, R/o village-Pathrahi Sahni Tola, P.S.- Ladaniya, District- Madhubani.
2. SUNITA DEVI, Female, aged about 26 years, S/O Suraj Sahani, R/o village-Pathrahi Sahni Tola, P.S.- Ladaniya, District- Madhubani.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Ratanakar Jha, Advocate
For the Opposite Party : Mr. Khurshid Anwar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-05-2022 Heard learned counsel for the petitioners and learned counsel for the State through Virtual mode.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks.

The petitioners are apprehending their arrest in connection with Ladaniya P.S. Case No. 56 of 2022, corresponding to G.R. No. 347/2022 for the offence registered under Sections 272, 273 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 10 liters wine is recovered.



It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. They have falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. It is alleged that total 10 liters wine is recovered. Out of which, 5 liters wine is recovered from the house belonging to joint family of the petitioner no. 1 where other family members also reside and 2 liters wine is recovered from the house belonging to joint family of petitioner no. 2 where other family members also reside. The petitioner no. 2 is a lady. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr. P.C. Learned counsel for the petitioners has placed reliance upon the order dated 13.04.2022 passed by the Hon'ble Supreme Court in Criminal Appeal No. 626 of 2022(Sweta Kumari-Versus-State of Bihar).

On behalf of the State, it is submitted that the petitioners are named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances of



the case, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani, in connection with Ladaniya P.S. Case No. 56 of 2022, corresponding to G.R. No. 347/2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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