

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33978 of 2021

Arising Out of PS. Case No.-211 Year-2020 Thana- SUPPI District- Sitamarhi

1. KISHAN SAHNI @ KRISHNA NANDAN SAHNI Son of Naresh Sahni
Resident of Village - Ramnagara, Police Station - Suppi, District - Sitamarhi.
2. Ranjit Sahni @ Ranjit Kumar Son of Shatrughan Sahni Resident of Village -
Ramnagara, Police Station - Suppi, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
Ms. Divya Bharti, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 20-01-2022 Heard Mr. Pushpendra Kumar Singh, learned Advocate for the petitioner and Mr. Jagdhar Prasad, learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Suppi P.S. Case No. 211 of 2020 dated 23.08.2020 instituted for the offences under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

639 litres of liquor has been recovered from near the banks of Bagmati river. The accusation against the petitioners and others is of having brought the aforesaid consignment of liquor and concealing it by the



river bank.

The learned counsel for the petitioner has submitted that the accusation is absolutely vague and the recovery from an open space cannot be saddled upon them.

The petitioners do not have criminal antecedents.

On these grounds, it has been urged that the offence under the Excise Act cannot be said to have been made out against the petitioners.

For the reasons aforesaid, the petitioners are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.D.J. II cum Special Judge, Excise Act, Sitamarhi in connection with Suppi P.S. Case No. 211 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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