

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30527 of 2022

Arising Out of PS. Case No.-43 Year-2022 Thana- BARGAINIA District- Sitamarhi

1. GANESHI SAHNI S/o Chun Chun Sahni Resident of Village- Pipradhi Sultan, P.s.- Bairstania, District- Sitamarhi.
2. Nilam Devi W/o Ganeshi Sahni Resident of Village- Pipradhi Sultan, P.S.- Bairstania, District- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-08-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State through virtual Court proceedings.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and allegation is of recovery of 35 liters of liquor from the house of the petitioners.

Learned counsel for the petitioners submits that the petitioners are husband and wife and were not apprehended from the spot as such nothing was recovered from their conscious possession, it is next submitted that house is a joint



family property and as such the police in a mechanical manner implicated the petitioners even without verifying that the house is a joint family property or not, it is further submitted that petitioners came to be implicated at the instance of local *chowkidar* with whom they are on an inimical term.

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

Considering the submissions made by the learned counsel for the petitioners, the 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 released on anticipatory bail on furnishing bail bonds of Rs. 2,000/- (Rupees Two Thousand) each 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 Bairgania P.S. Case No. 43 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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