

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52443 of 2022

Arising Out of PS. Case No.-882 Year-2021 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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1. GANESH SAHNI @ GANESH KUMAR SAHNI SON OF LATE SHANKAR SAHANI R/O MOHALLA- BALUGHAT, WARD NO.-17, SOUTH OF BRAHM ASTHAN, IN EAST SIDE PCC PAKKI ROAD, P.S.- TOWN (O.P. SIKANDARPUR), DIST.- MUZAFFARPUR
 2. RAJA SAHNI @ RAJA KUMAR SAHNI SON OF LATE SHANKAR SAHANI R/O MOHALLA- BALUGHAT, WARD NO.-17, SOUTH OF BRAHM ASTHAN, IN EAST SIDE PCC PAKKI ROAD, P.S.- TOWN (O.P. SIKANDARPUR), DIST.- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Bipin Chandra, Advocate
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-10-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State through the virtual Court proceedings.

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

The petitioners apprehend their arrest in a case registered
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2016-2018.

Learned counsel for the petitioners submits that petitioners
are persons with clean antecedent.

Allegation is of recovery of 21.60 litres of liquor from the
bushes at a vacant place at Babu Ghat Brahm Asthan.

Learned counsel for the petitioners submits that petitioners



have been falsely implicated in the present case and they were not arrested from the spot, as such, nothing was recovered from their conscious possession. Learned counsel further submits that even the alleged recovery is from a place which does not belong to the petitioners and is accessible to public at large. Learned counsel next submits that petitioners came to be implicated at the instance of Sunil Kumar and Dhirendra Kunwar with whom the petitioner is 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 Muzaffarpur Town (O.P. Sikandarpur) P.S. Case No. 882 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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