

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71341 of 2021

Arising Out of PS. Case No.-96 Year-2021 Thana- KESARIA District- East Champaran

1. Krishna Kumari, W/o Uma Lal Sahani,
2. Indal Sahani, Son of Dashrath Sahani,
Both the resident of Village - Sundrapur Malahi Tola, P.S.- Kesariya, Distt.-
East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 14-06-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

The petitioners are apprehending their arrest in
Kesariya P.S. Case No. 96 of 2021 registered for the offences
punishable under Sections 30(a), 32 and 41(i) of the Bihar
Prohibition and Excise Act, 2016.

Allegation against the petitioners and other co-
accused persons is that they were involved in business of
preparing and selling illegal country made liquor. There is
recovery of 70 litres country made liquor in Diara area.



Learned counsel for the petitioners submits that the name of the petitioners disclosed by the chaukidar due to dirty village politics. Nothing has been recovered from the conscious possession of the petitioners and they have falsely been implicated in the present case. They have no concern with the alleged recovery. Petitioners have got no criminal antecedent.

Learned A.P.P. for the State has conceded the fact that there is no recovery from the conscious possession of the petitioners.

Considering the aforesaid facts and circumstances that there is no recovery made from conscious possession of the petitioners and they have no criminal antecedent, as such, I am inclined to grant anticipatory bail to the petitioners. Let the petitioners, above named, in the event of their arrest/surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II-cum-Special Judge (Excise) Act, East Champaran at Motihari in connection with Kesariya P.S. Case No. 96 of 2021, subject to the conditions as laid down under Section 438(2) of



the Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

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