

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70962 of 2021**

Arising Out of PS. Case No.-371 Year-2020 Thana- LALGANJ District- Vaishali

1. PATLU SAHANI @ PATHLU SAHNI Son of Late Ragunandan Sahani  
Resident of Village - Salempur, P.S.- Lalganj, District - Vaishali.
2. Arjun Sahni Son of Patlu Sahani @ Pathlu Sahni Resident of Village -  
Salempur, P.S.- Lalganj, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Advocate.  
For the Opposite Party/s : Mr. Dilip Kumar No1, APP.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      01-07-2022      Heard the parties.

Learned counsel for the petitioners is directed to remove the defects within four weeks. In the eventuality of non-removal of defects within the stipulated period, office will place the matter before the Bench.

Petitioners apprehend their arrest in connection with a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2018.

Altogether 880 liters of spirit is said to have been recovered from the spot. It is alleged that petitioners and other co-accused persons fled away from the spot after seeing police.

Learned counsel for the petitioners submits that petitioners are quite innocent and have not committed any



offence as alleged in the FIR. Petitioners have been falsely implicated in this case at the instance of his enemies due to dirty village politics. Petitioners have neither been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. Allegation against them is that seeing the police, the fled away from the spot. They have no concern either with the seized liquor or any trade of liquor. There is no compliance of section 100 of the Cr.P.C. Petitioners have no criminal antecedent, as also mentioned in para-3 of the bail application. Similarly situated co-accused persons have been granted anticipatory bail in Cr. Misc. No. 42422 of 2021 dated 15.11.2021 and in Cr. Misc. No. 48234 of 2021 dated 04.02.2022 by this court and a co-ordinate bench of this court.

Petitioners are agreed to deposit a sum of Rs. 20,000.00/- (Rupees Twenty Thousand) each in the Patna High Court Legal Services Committee, Patna bearing Account No.1413010060836, IFSC PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Considering the aforesaid facts and circumstances, let the petitioners, named above, in the event of their arrest/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.25,000/- (Rupees Twenty Five 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 Lalganj P.S. Case No.371 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, as also the following conditions.

(1) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.20,000.00/- (Rupees Twenty Thousand) each in the Patna High Court Legal Services Committee.

**(Anjani Kumar Sharan, J)**

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