

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67415 of 2022

Arising Out of PS. Case No.-181 Year-2022 Thana- MAKER District- Saran

1. UPENDRA SAHANI @ O.P. SAHANI Son of Dharmdeo Sahani Resident of Village- Baligaon, P.S.- Parsa, District- Saran at Chapra
2. GAJENDRA SAHANI @ GANNI SAHANI Son of Dharmdeo Sahani Resident of Village- Baligaon, P.S.- Parsa, District- Saran at Chapra
3. SHAILESH SAHANI @ ASHOK SAHANI Son of Narad Sahani Resident of Village- Baligaon, P.S.- Parsa, District- Saran at Chapra
4. RANJEET SAHANI Son of Sudish Sahani Resident of Village- Baligaon, P.S.- Parsa, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate
For the Opposite Party/s : Ms. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-12-2022 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 petitioners are persons with clean antecedent and allegation is of recovery of 200 litres liquor from the bushes of Murahi diyara.

Learned counsel for the petitioners submits that petitioners were not apprehended from the spot as such nothing



was recovered from their conscious possession and they came to be implicated at the instance of local people and *chowkidar*, it is further submitted that the FIR does not disclose the name of local people and they are on an inimical term with the local *chowkidar* on account of some village issue, it is also submitted that the alleged recovery is from a place which is accessible to public at large.

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. 5,000/- (Rupees 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 Maker P.S. Case No. 181 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The learned trial court before accepting the bail bonds of the petitioners shall verify their criminal antecedents and if it is found that the petitioners have antecedent even of a single



case, then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

Rishi/-

U		T	
---	--	---	--

