

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70557 of 2022

Arising Out of PS. Case No.-394 Year-2022 Thana- SUGAULI District- East Champaran

1. PANKAJ SAHANI Son of Achchelal Sahani Resident of Village - Mehwa, P.S.- Sugauli, District - East Champaran.
2. Lalka Sahani Son of Munib Sahani Resident of Village - Mehwa, P.S.- Sugauli, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 272, 273 and 34 of the Indian Penal Code and 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 47 liters of liquor from a motorcycle.

Learned counsel for the petitioners submits that petitioners were not arrested from the spot as such nothing was recovered from their conscious possession, it is also submitted that they came to be implicated at the instance of local *Chowkidar* with whom they are on an inimical term, it is next submitted that



petitioners are neither the owner nor the driver of the alleged motorcycle.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sugauli P.S. Case No. 394 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, the learned Trial Court before accepting the bail bonds shall verify the criminal antecedent of the petitioners and in the event, if it is found that petitioners have antecedent of even a single case then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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