

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8450 of 2023

Arising Out of PS. Case No.-187 Year-2020 Thana- LADANIA District- Madhubani

1. JAGDISH SAHNI @ JAGDISH SAHANI S/o Late Chulhai Sahani R/o Village- Kanhauli, Mallik Tole, P.S.- Khajauli, Distt- Madhubani.
2. Raje Sahani @ Raji Sahani S/o Late Rijhan Sahani R/o Village- Kanhauli, Mallik Tole, P.S.- Khajauli, Distt- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-04-2023 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 and 273 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2018.

Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioners rather 165 liters of illicit liquor is said to have recovered from the motorcycle. He submits that the motorcycle was standing beside the road side near chowk, at the



instigation of rival parties, the police seized the vehicle and taken away to the police station. He submits that the petitioners are not involved in the manufacturing, transportation and selling of wine. He further submits that petitioner no. 1 has not criminal antecedent and petitioner no. 2 has got one criminal antecedent as stated in para-3 of the bail application.

Petitioner is agreed to deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand) **each** in Bihar State Bar Council Welfare Fund, Patna, bearing Account No.31861041899, IFSC Code: SBIN0010340, State Bank of India, High Court Campus, Patna.

Having regard to the facts and circumstances of the case and the fact that there is nothing recovered from the conscious possession of the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond 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 Ladania P.S. Case No.187 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., subject to the



further conditions that:

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

(2) That the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioners are implicated in any other case of similar nature after their release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

The bail bond of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Bihar State Bar Council Welfare Fund, Patna.

(Anjani Kumar Sharan, J)

anand/-

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