

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9482 of 2023

Arising Out of PS. Case No.-235 Year-2022 Thana- PIPRAHI District- Sheohar

1. UMESH SAHNI Son of Sri Ganesh Sahni R/v- Belwa Narkatia, P.S.- Piprahi, District- Sheohar.
2. NETA SAHNI Son of Sri Ganesh Sahni R/v- Belwa Narkatia, P.S.- Piprahi, District- Sheohar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

418.5 litres of Nepali country made liquor has been recovered from the place of occurrence. The petitioners and other co-accused persons fled away from the place of occurrence after seeing the police.

Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. It is submitted that the petitioners have got one



criminal antecedent, similar in nature, as stated in paragraph-3 of the bail application. It is further submitted that there is no recovery from conscious possession of the petitioners.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioners.

Petitioners are agree to deposit a sum of Rs.30,000/- (rupees thirty thousand) **each** in the account of Bihar State Bar Council Welfare Fund, bearing Account No.31861041899, IFSC Code: SBIN0010340, High Court Campus Branch, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioners, let 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 enlarged on 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 learned Exclusive Special Judge, Excise, Sheohar in connection with Piprahi P.S. Case No.235 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be their own blood relative, preferably, father, mother, brother, sister and/or their wives.



(ii) The petitioners shall not indulge themselves in any similar offence till conclusion of the trial.

The bail bonds of the petitioners shall be accepted by the learned court below on showing receipt of deposit of the aforesaid amount in Bihar State Bar Council Welfare Fund.

(Anjani Kumar Sharan, J)

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