

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13392 of 2023

Arising Out of PS. Case No.-342 Year-2022 Thana- SUGAULI District- East Champaran

1. RANJEET SAHANI S/O JAMUNA SAHANI Resident of Village- Godigawan, P.S.- Sugauli, District- East Champaran.
2. ANGOOR SAHANI @ ANGUR KUMAR S/O JAMUNA SAHANI Resident of Village- Godigawan, P.S.- Sugauli, District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar, Adv.

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-04-2023 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, 273, 34 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2018.

Altogether 60 litres of illicit liquor has been recovered from the backside of the petitioners' house. They are said to have been involved in the trade of liquor.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No incriminating article has been recovered from the conscious



physical possession of the petitioners rather the alleged illicit liquor is said to have been recovered from backside of the petitioners' house which could be kept by any other person. Petitioners have no concern either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioners have been falsely implicated in this case at the instance of their enemy. They were not apprehended on the spot. They had not consumed liquor. There is nothing on record to indicate the complicity of the petitioners barring the statement of Chowkidar. Petitioner no.1 has one criminal antecedent whereas petitioner no.2 has no criminal antecedent as mentioned in para-3 of this application.

Petitioners are agreed to deposit a sum of Rs. 20,000.00 (Rupees Twenty Thousand) each in account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB141320, Punjab National Bank, Bar Council Branch, Patna.

Having regard to the facts and circumstances of the case, 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 learned Court below where the case is pending/successor Court in connection with Sugauli P.S. Case No. 342 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, subject to the further conditions that

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

The bail bond of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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