

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24288 of 2023

Arising Out of PS. Case No.-270 Year-2022 Thana- MAKER District- Saran

1. Chhathu Sahani, Son of Nagina Sahani Resident Of Village- Murahhi Ps-Maker, Dist- Saran
2. Rajeshwar Sahani, Son Of Maharaj Sahani Resident Of Village- Murahhi Ps-Maker, Dist- Saran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh

For the Opposite Party/s : Mr.Arbind Kumar Pandey(APP84)

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in anticipation of their arrest
in a case registered for the offences punishable under Section
30(a) of the Excise Act.

The learned counsel for the petitioners submits that
the petitioner no.1 has antecedent of two cases and petitioner
no.2 is a person with clean antecedent and the allegation is of
recovery of 200 litres of liquor from a bank of Gandak river.

The 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 next submitted



that even the alleged recovery is from a place which is accessible to public at large and they came to be implicated at the instance of Chaukidar with whom, petitioner no.1 is on an inimical term because of his antecedent and petitioner no.2 is his friend has been falsely implicated, when admittedly petitioner no.2 is a person with clean antecedent.

Learned A.P.P. opposes the bail application.

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, is directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned 2nd Exclusive Special Excise Judge, Saran, Chapra in connection with Maker P. S. Case No.270 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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