

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22705 of 2023

Arising Out of PS. Case No.-285 Year-2022 Thana- PAKRIDAYAL District- East Champaran

1. Raushan Sahani S/O Yogeshwar Sahani @ Jageshwar Sahani @ Jagesha Sahani R/O Village- Mazahar Godhiya Tola, P.S- Pakaridayal, Distt.- East Champaran.
2. Baiju Sahani S/O Ramji Sahani R/O Village- Mazahar Godhiya Tola, P.S- Pakaridayal, Distt.- East Champaran.
3. Durga Sahani S/O Mobill Sahani R/O Village- Mazahar Godhiya Tola, P.S- Pakaridayal, Distt.- East Champaran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar

For the Opposite Party/s : Mr. Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-05-2023 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 Sections 272, 273, 34 of the I.P.C. and Section 30(a) of the Excise Act, 2018.

The learned counsel for the petitioners submits that the petitioner no.1 has antecedent of two cases, out of which in one case, petitioner no.1 has been acquitted and petitioner no.2 has antecedent of one case and petitioner no.3 is a person with clean antecedent and the allegation is of recovery of 139 litres



of liquor from four sacks near the 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 and he came to be implicated based on disclosure made by the Chaukidar with whom, they are on an inimical term.

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. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.2, East Champaran, Motihari in connection with Pakaridayal P. S. Case No.285 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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