

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26046 of 2023

Arising Out of PS. Case No.-93 Year-2023 Thana- KHAGARIA District- Khagaria

1. Navin Sahani Son Of Late Jhaksu Sahani R/O Village- Kamalpur Gachi Tola, Ward No.08, P.S. And District- Khagaria
2. Parshuram Sahni Son Of Manoj Sahni R/O Village- Kamalpur Gachi Tola, Ward No.08, P.S. And District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandan Kumar Kashyap, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-05-2023 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 Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioners have antecedent of one case and allegation is of recovery of five litres liquor from a place behind the house of petitioner no.1 along with other articles.

Learned counsel for the petitioners submits that the 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 does not belong to the petitioner and they came to be implicated merely because the recovery was made from a place which was near the house of petitioner no.1, it is next submitted that petitioner no.1 is having a shop of mobile repair and petitioner no.2 is a labour.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

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 from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees 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 Khagaria P.S. Case No. 93 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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