

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27475 of 2023

Arising Out of PS. Case No.-603 Year-2022 Thana- KESARIA District- East Champaran

1. RAKESH SAHANI Son of Raghunath Sahani Resident of village - Banpurwa, P.S. - Kesariya, Distt. - East Champaran
2. Nagendra Sahani Son of Vikaram Sahani Resident of village - Banpurwa, P.S. - Kesariya, Distt. - East Champaran
3. Seshnarayan Sahani Son of Surendra Sahani @ Surendra Sahni Resident of village - Banpurwa, P.S. - Kesariya, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-05-2023 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 Sections 272, 273 of the Indian Penal Code and Section 30(a), 32 and 41(i) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent.

Allegation is of recovery of 70 litres of liquor along with 6000 litres of Mahua Jaggery from Chawar of village Bhagwatiya.

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 further submitted that petitioners came to be implicated at the instance of the villagers but then the FIR does not record the name of any villagers which casts doubt with regard to the veracity of the allegation as alleged in the FIR when admittedly petitioners are persons with clean antecedent.

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.1,000/- (Rupees One 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 Kesariya P.S. Case No. 603 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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