

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27015 of 2023

Arising Out of PS. Case No.-39 Year-2023 Thana- MAHESI District- East Champaran

1. SANJAY KUMAR SAHNI @ SANJAY SAHNI SON OF CHANDRAKETU SAHNI @ KETA SAHNI R/O VILLAGE- BAKHRI NAJIR, P.S.- MEHASI, DISTRICT- EAST CHAMPARAN
2. SANOJ SAHNI SON OF MUSAPHIR SAHNI R/O VILLAGE- BAKHRI NAJIR, P.S.- MEHASI, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Shanti Bhushan Singh, Advocate
For the Opposite Party/s : Mr. Rajesh Kumar, A.P.P.

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 Sections 30(a), 32(ii) (iii), 41(i) (ii) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioner no. 1 has antecedent of three cases and petitioner no. 2 has antecedent of 5 cases and allegation is of recovery of 1088.640 liters of liquor from a car.

Learned counsel for the petitioners submits that the petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession, it is next



submitted that petitioners are not the owner of the vehicle and they came to be implicated based on confessional statement of apprehended co-accused in police custody which does not have any evidentiary value. The learned counsel next submits that police got them implicated in the present case because of their antecedents.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mehasi P.S. Case No. 39 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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