

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27282 of 2023

Arising Out of PS. Case No.-287 Year-2023 Thana- TURKAULIYA District- East
Champaran

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1. Rambabu Sahni S/O Late Lawhar Sahani R/V- Jhakiya Naya Tola, P.S.-
Banjariya District- East Champaran.
 2. Shyambabu Sahni S/O Late Lawhar Sahani R/V- Jhakiya Naya Tola, P.S.-
Banjariya District- East Champaran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2

For the Opposite Party/s : Ms.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 16-05-2023 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, 414, 413, 34 of the I.P.C. and Sections 30(a), 32, 34,
36, 41(i) of the Excise Act, 2018.

The learned counsel for the petitioners submits that
the petitioners are persons with clean antecedent and the
allegation is of recovery of 100 litre of liquor from the house of
the petitioners along with a motorcycle.

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 the house is a joint family property, as such, it cannot be alleged with certainty that it were the petitioners, who had kept the liquor in the house or the liquor kept in the house was within the knowledge of the petitioners, when admittedly, petitioners are persons 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. 1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Court Excise No.1, East Champaran, Motihari in connection with Turkauliya P. S. Case No.287 of 2023, 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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