

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35055 of 2023

Arising Out of PS. Case No.-27 Year-2023 Thana- PURNAHYA District- Sheohar

1. PAPPU SAHNI @ PAPPU KUMAR S/O VIRENDRA SAHNI R/O Village- Belwa, Narkatia, P.S- Piprahi, Distt.- Sheohar.
2. Manoj Sahni S/O Sri Sahni @ Shresht Sahni R/O Village- Belwa, Narkatia, P.S- Piprahi, Distt.- Sheohar.
3. Ashok Sahni S/O Sri Sahni @ Shresht Sahni R/O Village- Belwa, Narkatia, P.S- Piprahi, Distt.- Sheohar.
4. Pramod Sahni S/O Jay Mangal Sahni @ Jagarnath Sahni R/O Village- Belwa, Narkatia, P.S- Piprahi, Distt.- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr.Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 01-06-2023 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Purnahiya Police Station Case No. 27 of 2023, dated 06.03.2023, disclosing offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as per the First Information Report, is that the police, on secret information that the petitioners along with other co-accused persons were bringing a consignment of illicit liquor from Bagmati River, reached at the



place of occurrence and saw that some persons were coming through the river carrying some bags and on seeing the police party, all the persons fled away. The police recovered 1326 litres of illicit liquor from the bags. The name of the petitioners and others were disclosed by the local fishermen.

Learned Counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He further submits that the petitioners have been made accused in this case on the basis of disclosure of their names by the local fishermen and no no illicit liquor has been recovered from the possession of the petitioners; rather the illicit liquor has been recovered from the bank of River Bagmati.

Regards being had to the submission advanced on behalf of the parties and taking into consideration the fact that illicit liquor has not been recovered from the possession and/or premises belonging to the petitioners; rather the same was recovered from the bank of River Bagmati, I am inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail



bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court, Sheohar, in connection with Purnahiya Police Station Case No. 27 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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