

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37534 of 2023

Arising Out of PS. Case No.-286 Year-2022 Thana- MAKER District- Saran

1. Rakesh Sahani Son Of Sudarshan Sahani Resident Of Village - Baligaon, P.S. - Parsa, Distt. - Saran At Chapra
2. Ranjeet Sahani Son Of Sudish Sahani Resident Of Village - Baligaon, P.S. - Parsa, Distt. - Saran At Chapra
3. Mohan Sahani @ Mohar Sahani @ Amarnath Sahani Son Of Asharfi Sahani Resident Of Village - Baligaon, P.S. - Parsa, Distt. - Saran At Chapra
4. Tej Mohan Sahani @ Tej Mohan Kumar Son Of Sideni Sahani Resident Of Village - Murahiya, (Murahi), P.S. - Maker, Distt. - Saran At Chapra

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh
For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-07-2023 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable Section 30 (a) of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that no incriminating article has been recovered from the conscious physical possession of the petitioners rather 70 liters of country made liquor is said to have been recovered from the place of occurrence. Petitioners



have no concern either with the seized liquor or the place of recovery or any trade of liquor. Petitioners have been falsely implicated in this case at the instance of his enemy. Petitioner nos. 1 and 2 have one criminal antecedent and petitioner nos. 3 and 4 have no criminal antecedent as mentioned in para-3 of this application.

4. Petitioner nos. 1 and 2 are agreed to deposit a sum of Rs.20,000.00 (Rupees Twenty Thousand) each and petitioner nos. 3 and 4 are agreed to deposit a sum of Rs. 10,000/- (Ten Thousand) each in the account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB141320, Punjab National Bank, Bar Council Branch, Patna.

5. Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Maker P.S. Case No. 286 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C,



subject to the further conditions that

(1) One of the bailors will be their own blood relative, preferably, father, mother, brother, sister and/or their wife.

(2) The petitioners shall not indulge themselves in any similar offence till conclusion of the trial.

6. The bail bond of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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