

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40385 of 2023**

Arising Out of PS. Case No.-27 Year-2023 Thana- ASHOK PAPER MILL District-  
Darbhanga

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1. MOTI SAHNI Son of Shankar Sahni @ Late Shankar Sahni Resident of village - Dighra (Basaha), P.S.- Ashok Paper Mill, District - Darbhanga
  2. Jay Narayan Sahni Son of Binod Sahni Resident of village - Dighra (Basaha), P.S.- Ashok Paper Mill, District - Darbhanga
  3. Manoj Mukhiya @ Manoj Sahni Son of Late Upendra Sahni @ Upendra Mukhiya Resident of village - Dighra (Basaha), P.S.- Ashok Paper Mill, District - Darbhanga
  4. Jay Kishore Sahni Son of Binod Sahni Resident of village - Dighra (Basaha), P.S.- Ashok Paper Mill, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate  
For the Opposite Party/s : Mr. Ajay Kumar Jha, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      03-07-2023                      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 offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that petitioner nos. 1 and 3 are persons with clean antecedent and petitioner nos. 2 and 4 have antecedent of two cases.

Allegation is of recovery of 10 litres of liquor from the joint house of petitioner nos. 2 and 4 and 6 litres of liquor



from the hut of petitioner no. 3.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is further submitted that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession. It is next submitted that even the alleged recovery was made in absence of the petitioners and that too from a joint family property, as such, it cannot be alleged with certainty that it was the petitioners who had kept the liquor in the house or the liquor kept in the house was within their knowledge. It is also submitted that petitioners came to be implicated at the instance of the Chawkidar with whom they are on inimical term.

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.10,000/- (Rupees Ten 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 Ashok



Paper Mill P.S. Case No. 27 of 2023, subject to the conditions as  
laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Kundan/-

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