

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51473 of 2023

Arising Out of PS. Case No.-550 Year-2023 Thana- TURKAULIYA District- East
Champaran

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1. JAI PRAKASH SAHNI @ ANDUL SAHNI S/O Umesh Sahni R/O Village- Majhariya, Ward No. 1, P.S.- Turkauliya (Raghunathpur O.P.), Dist. East Champaran At Motihari
 2. KANHAIYA SAHNI S/O Ram Bahadur Sahni R/O Village- Majhariya, Ward No. 1, P.S.- Turkauliya (Raghunathpur O.P.), Dist. East Champaran At Motihari
 3. GUDDU SAHNI S/O Mohan Sahni R/O Village- Majhariya, Ward No. 1, P.S.- Turkauliya (Raghunathpur O.P.), Dist. East Champaran At Motihari
 4. MANOJ SAHNI S/O Ganesh Sahni R/O Village- Majhariya, Ward No. 1, P.S.- Turkauliya (Raghunathpur O.P.), Dist. East Champaran At Motihari

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv.

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-08-2023 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 under Sections 272, 273 and 34 of the Indian Penal Code and Sections 30 (a) and 41(i) of the Bihar Prohibition and Excise Act.

3. It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from the conscious physical possession of the petitioners rather 80 liters



of country made liquor is said to have been recovered from the Chhath Ghat at Majhariya Man. Petitioners have no concern either with the seized liquor or the place of recovery or any trade of liquor. The place of recovery is an open place and easily accessible to anyone. The name these petitioners have been transpired in this case by the apprehended co-accused persons. Petitioners have been falsely implicated in this case by the apprehended co-accused persons due to dirty local politics. There is violation of Section 100 Cr.P.C. Petitioner No. 1 and 2 have two criminal antecedents of similar nature of the offence and petitioner No. 3 and 4 have one criminal antecedent of similar nature of the offence as mentioned in para-3 of this application.

4. Petitioner No. 1 and 2 are agreed to deposit a sum of Rs.30,000.00 (Rupees Thirty Thousand) **each** and petitioner No. 3 and 4 are agreed to deposit a sum of Rs.20,000.00 (Rupees Twenty Thousand) **each** in the account of Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, 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 bonds 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 Turkauliya (Raghunathpur O.P.) P.S. Case No. 550 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C, Subject to the further conditions that:-

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

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

6. The bail bonds 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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