

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54419 of 2023

Arising Out of PS. Case No.-102 Year-2023 Thana- KHAJAULI District- Madhubani

1. Ranjeet Kumar Sahani @ Ranjeet Sahani @ Gul S/O- Ramdeo Sahni
Village- Kanhauli Mallick Tol Ps- Khajauli Dist- Madhubani
2. Ramdeo Sahani Son of Late Khattar Sahani Village- Kanhauli Mallick Tol
Ps- Khajauli Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-08-2023 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection
with Khajauli P.S. Case No. 102 of 2023 registered for the
offences punishable under Sections 272 and 273 of the Indian
Penal Code read with Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that the
petitioner no.1 has antecedent of one case and petitioner no.2 is
a person with clean antecedent and allegation is of recovery of
234 litres of liquor from three motorcycles as detailed in the
FIR.

4. Learned counsel for the petitioners submits that the



petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession, it is next submitted that petitioner no.2 being owner of the seized motorcycle came to be implicated, it is further submitted that no prudent person would use his own vehicle for committing an occurrence and thus would get implicated by creating evidence against himself. It is submitted that petitioner no.1 got implicated at the instance of *Chowkidar* with whom he is on an inimical term, further the petitioner no.2 was completely unaware that his neighbour would misuse the vehicle in the manner as alleged.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. 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. 5,000/- (Rupees Five 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 Khajauli P.S. Case No. 102 of 2023 subject to the conditions as laid down under



Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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