

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55292 of 2023

Arising Out of PS. Case No.-203 Year-2023 Thana- KESARIA District- East Champaran

1. JAIPRAKASH SAHNI S/o- BADAN SAHNI Village- Khatolwa Gawandri Ps- Kesariya Dist- East Champaran
2. Nawal Sahni son of Fulena Sahni Village- Khatolwa Gawandri Ps- Kesariya Dist- East Champaran
3. Suresh Sahni son of Fulena Sahni Village- Khatolwa Gawandri Ps- Kesariya Dist- East Champaran
4. Omprakash Sahani son of Badan Sahni Village- Khatolwa Gawandri Ps- Kesariya Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Bharat Lal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-08-2023 1. 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 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that the petitioner nos. 1, 2 and 3 have antecedent of one case and petitioner no. 4 is a person with clean antecedent and allegation is of recovery of 25 liters of liquor from the bank



of a river near the house of Kanhaiya Sahani.

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 and they came to be implicated merely based on disclosure made by the villager but then the FIR does not disclose the name of the villager who disclosed the name of the petitioners which casts an aspersion on the case of the prosecution, it is next submitted that even alleged recovery is from a place which is accessible to public at large and does not belong to the petitioners.

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 trial court 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 trial court where the case is pending/successor court in



connection with Kesariya P.S. Case No. 203 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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