

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73492 of 2022

Arising Out of PS. Case No.-106 Year-2022 Thana- CHACKMEHSI District- Samastipur

1. DEEPAK SAHNI @ DEEPAK KUMAR S/O Baldeo Sahni @ Baldev Sahni
R/O Village- Chakmehsi Kothi, P.S- Chakmehsi, District- Samastipur
2. Laddu Sahni S/O Ramvatar Sahni @ Ramautar Sahni R/O Village-
Chakmehsi Kothi, P.S- Chakmehsi, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-03-2023 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 offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2018.

Learned counsel for the petitioners submits that petitioners are innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioners rather 31.140 liters of Indian made foreign liquor is said to have recovered from the poultry farm situated in Litchi orchard of Nagendra Thakur. He submits that the petitioners are not apprehended on the spot. He submits that



petitioners have no concern with the poultry farm of the litchi orchard and the liquor recovered does not belong to the petitioners. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

Petitioner is agreed to deposit a sum of Rs. 10,000.00 (Rupees Ten Thousand) in the Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Having regard to the facts and circumstances of the case and the fact that there is nothing recovered from the conscious possession of the petitioner, 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 the learned Court below where the case is pending/successor Court in connection with Chakmehsi P.S. Case No. 106 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) That one of the bailors will be a close relative of



the petitioner, who will give an affidavit giving genealogy as to who he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after her release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

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)

anand/-

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