

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5179 of 2024

Arising Out of PS. Case No.-203 Year-2023 Thana- SAHIYARA District- Sitamarhi

1. Rambali Sah S/O Late Sukhdev Sah
 2. Shailendra Sah S/O Late Chhathu Sah
- Both R/O Village- Madhubani, P.S- Sahiyara, Distt.- Sitamarhi.
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar, Advocate
For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-02-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. Allegation against the petitioner is of recovery of 354 liters liquor.

4. Learned counsel for the petitioners submit that petitioners are person with clean antecedent and allegation is of recovery of 354 liters liquor from an auto. It is next submitted that petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession. It is also submitted that petitioners are not the owner or driver of the



auto in question and came to be implicated by the local Chowkidar and villagers. It is next submitted that it appears that the Chowkidar in order to save the real culprit falsely implicated the petitioners in the present case when petitioners admittedly is a person with clean antecedent.

5. Learned A.P.P. opposes the anticipatory bail application.

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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Sahiyara P.S. Case No.203 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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