

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6004 of 2024

Arising Out of PS. Case No.-209 Year-2023 Thana- MAKER District- Saran

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1. Sadhu Sahani @ Sadhu Sahni son of Jamadhar Sahani Village- Murahhi Ps- Maker Dist- Saran
 2. Baharan Sahani son of Jamadhar Sahani Village- Murahhi Ps- Maker Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avnish Kumar Singh

For the Opposite Party/s : Mr.Bishweshwar Ram

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-02-2024 1. 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 Excise Act.

3. The learned counsel for the petitioners submits that the petitioner no.1 has antecedent of two cases and petitioner no.2 is a person with clean antecedent and the allegation is of recovery of 448 litres of liquor from a bush near *Gandak* river.

4. The learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession. It is also submitted



that they came to be implicated at the instance of local people, but then, the F.I.R. does not disclose the name of the person, who disclosed the name of the petitioner, which cast an aspersion on the case of the prosecution. It is also submitted that it appears that the police, in order to save the culprit falsely, implicated the petitioners.

5. Learned A.P.P. opposes the 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 their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned 3rd Exclusive Special Excise Judge, Saran at Chapra in connection with Maker P. S. Case No.209 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)

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