

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15955 of 2024

Arising Out of PS. Case No.-266 Year-2023 Thana- MOHAMMADPUR District- Gopalganj

1. Sandeep Sahni @ Mishra @ Mishr Son Of Late Daroga Sahani R/O-
Dumaria, P.S.-MOHAMMADPUR, Distt.-GOPALGANJ, Bihar
2. Dipak Sahni Son Of Ramyad Sahni Resident Of Village Dumaria P.S.
Mohammadpur Gopalganj Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan

For the Opposite Party/s : Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-03-2024 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 Section 30(a) of the
Bihar Excise Act.

3. Learned counsel for the petitioners submits that
petitioner No. 1 has antecedent of one case and petitioner No. 2
is a person with clean antecedent and allegation is of recovery
of 40 litres of liquor from a gallon left by the petitioner No. 1
and 30 litres of liquor from a gallon left by petitioner No. 2.

4. Learned counsel for the petitioners submits that the
petitioners were not arrested from the spot as such nothing was



recovered from their conscious possession and even alleged recovery is from a place which does not belong to the petitioners and even gallon does not belong to the petitioners. It is next submitted that they came to be implicated at the instance of villagers, but then the name of the person, who disclosed the name of the petitioners is not disclosed in the FIR, which casts an aspersion on the case of the prosecution.

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. 5,000/- (Rupees Five 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 Mohammadpur P.S. Case No. 266 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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