

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34496 of 2024

Arising Out of PS. Case No.-321 Year-2023 Thana- PATEPUR District- Vaishali

1. Ranjit Sahni Son of Devnarayan Sahni @ Devnrayan Sahni Resident of Village- Malpur, P.S.- Patepur, Dist.- Vaishali
2. Dipak Sahni @ Dipak Kumar son of Ranjit Sahni Resident of Village- Malpur, P.S.- Patepur, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar
For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-05-2024 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)(c) of the
Bihar Excise Act.

3. Learned counsel for the petitioners submits that the
petitioners are person with clean antecedent and allegation is of
recovery of 8 litres of liquor from a hut behind the house of the
petitioners.

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 is accessible to public at large but then is adjacent to their
house. It is next submitted that they came to be implicated at the



instance of *Chowkidar* based on suspicion.

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. 500/- (Rupees Five Hundred) 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 Patepur P.S. Case No. 321 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that the learned trial court before accepting the bail bonds of the petitioners shall verify the criminal antecedents of the petitioners and in the event if it is found that the petitioners have antecedent of even one case in that event the present anticipatory bail order shall not be given effect.

(Satyavrat Verma, J)

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