

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38878 of 2024

Arising Out of PS. Case No.-215 Year-2023 Thana- CHERIYA BARIYARPUR District-
Begusarai

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1. Sudhir Sahni Son of Late Vasudev Sahni @ Gengu @ Gongu Resident of vill- Bichkhana Tola, P.S.- Cheriya Bariyarpur, District- Begusarai
 2. Ravindra Nishad @ Ravindra Sahni Son of Late Ramchandra Sahni Resident of vill- Bichkhana Tola, P.S.- Cheriya Bariyarpur, District- Begusarai

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-07-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in a case registered for the offence punishable under Section 30 (a) and 30 (d) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. 90 liters of country made liquor and several apparatus for brewing illicit liquor is said to have been recovered from the field of one Kanhaiya Singh. It is alleged that after seeing the police party, the petitioners managed to escape from the place of occurrence.

4. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. They have no concern with the seized liquor. They have been falsely



implicated in this case by the police as some altercation took place with them due to non coughing up of illegal graft demanded by them. No incriminating article has been recovered from the conscious physical possession of the petitioners. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is violation of Section 100 (4) Cr.P.C. Petitioners have one criminal antecedent and has been languishing in custody since 13.03.2024.

5. Petitioners are agreed to deposit a sum of Rs.2000.00 (Rupees Two Thousand) **each** in the account of Mahavir Cancer Sansthan, bearing Account No.3332964762, Central Bank of India, Chitkohra Branch, IFSC Code : CBIN0282779 (fifth character is zero), MICR Code : 800016018.

6. Considering the facts and circumstances of the case, the above named petitioners are directed to be enlarged on bail 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 Cheriya Bariyarpur (Manjhaul) P.S. Case No. 215 of 2023, subject to the following conditions:



(i) that one of the bailors will be a close relative of the petitioners, who will give an affidavit giving genealogy as to how he is related with the petitioners. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) that the bailor shall also state on affidavit that he will inform the Court concerned if the petitioners are implicated in any other case of similar nature after his 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.

7. 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 Mahavir Cancer Sansthan.

(Anjani Kumar Sharan, J)

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