

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44120 of 2024

Arising Out of PS. Case No.-384 Year-2023 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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1. VICKY SAHNI SON OF LATE LAXMAN SAHNI RESIDENT OF VILLAGE - ALINAGAR WARD NO.1, P.S. - LNMU (UNIVERSITY), DISTRICT - DARBHANGA
 2. MUKHIYA SAHNI SON OF LATE LAXMAN SAHNI RESIDENT OF VILLAGE - ALINAGAR WARD NO.1, P.S. - LNMU (UNIVERSITY), DISTRICT - DARBHANGA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar
For the Opposite Party/s : Mr. Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 07-08-2024 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 offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and allegation is of recovery of 6.3 litres of liquor from a plastic bag thrown by the accused, who are alleged to have fled from the place of occurrence. It is next submitted that 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 nor they have any concern with the bag from which the liquor is alleged to have been recovered and they came to be implicated at the instance of local people but then it is submitted that the police in majority of the cases implicates either at the instance of chowkidar or local people in a mechanical manner without holding proper investigation, when petitioners admittedly are persons with clean antecedent.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. 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 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 LNMU P.S. Case No.384/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. 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 petitioners have antecedent of even one case, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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