

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42568 of 2024

Arising Out of PS. Case No.-240 Year-2023 Thana- PIPRAKOTHI District- East Champaran

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1. ARVIND SAHNI @ ARVIND CHAUDHARY SON OF RAM CHANDRA SAHANI @ RAM CHANDRA CHAUDHARY VILLAGE- HATHIYAH, P.S.- PIPRAKOTHI, DISTT.- EAST CHAMPARA, MOTIHAR
 2. RAM PRAVESH SAHANI @ RAM PRAVESH CHAUDHARY SON OF RAM CHANDRA SAHANI @ RAM CHANDRA CHAUDHARY VILLAGE- HATHIYAH, P.S.- PIPRAKOTHI, DISTT.- EAST CHAMPARA, MOTIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-07-2024 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 Sections 272, 273, 308 and 34 of the Indian Penal Code read with Sections 30(a), 32 and 36 of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that the petitioners have antecedent of one case and allegation is of recovery of 20 liters of liquor from a place 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 the alleged



recovery is from a place which does not belong to the petitioners and is accessible to public at large and they came to be implicated based on suspicion by local persons as the recovery was made from a place which is adjacent to their house 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. 1,000/- (Rupees One 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 Piprakothi P.S. Case No. 240 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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