

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49570 of 2024

Arising Out of PS. Case No.-71 Year-2024 Thana- GUTHANI District- Siwan

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1. Rahul Sahani Son of Kailash Sahani, Resident of Village- Tir Balua, P.S.- Guthani, Distt.- Siwan.
 2. Nanhey Yadav Son of Mainejar Yadav, Resident of Village- Mamaur, P.S.- Guthani, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shanker Tiwari, Advocate.
For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 14-08-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection
with Guthani P.S. Case No.71 of 2024 instituted under Sections
30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 36.1 litre country
made liquor was recovered from the bank of river.

4. Learned counsel for the petitioners submits that
petitioners are innocent and have been falsely implicated in this
case due to village politics. He further submits that nothing
incriminating has been recovered from the conscious possession
of the petitioners. Learned counsel submits that there is no



material against the petitioners. He further submits that petitioner no.1 has no criminal antecedent, however, petitioner no.2 has two criminal antecedents and petitioners undertake to cooperate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount to each to the satisfaction of the learned Special Excise Court No.1, Siwan in connection with Guthani P.S. Case No.71 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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