

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52665 of 2024

Arising Out of PS. Case No.-291 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

1. BINOD SAHNI @ VINOD SAHNI SON OF DEBARI SAHNI @ DEVARI SAHNI R/O- VILLAGE- ISMAILPUR, P.S.- HAJIPUR SADAR, DISTT. - VAISHALI
2. SUNNY KUMAR SON OF MUNAR SAHNI R/O- VILLAGE- ISMAILPUR, P.S.- HAJIPUR SADAR, DISTT. - VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy, Adv.
For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 28-08-2024

1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Hajipur Sadar P.S. Case No. 291/ 2024 dated 07.05.2024 registered for the offence(s) punishable under Section(s) 272, 273 of the Indian Penal Code and under section 30(a) of the Bihar Prohibition & Excise Act.

3. Mr. Dilip Kumar Roy, learned counsel for the petitioners submits that petitioners have been falsely implicated in this case and they have no concern with the alleged recovered liquor as well as the place of the recovery and the petitioners' names have surfaced in this case only on the basis of disclosure made by the *Mahal Chowkidar* and the local people gathered at



the place of occurrence. It is further submitted that the alleged recovery has been made from a place which is accessible to public at large and the petitioners have got fair and clean antecedent.

4. Mr. Chandra Bhushan Prasad, learned APP appearing for the State has opposed the bail prayer of the petitioners.

5. Considering the facts and circumstances of this case as well as submissions noted above and also the facts that the alleged recovery is said to have been made from a bush situated near *Harauli Diyar Ghat* and the petitioners' names have surfaced in this case on account of disclosure made by the *Mahal Chowkidar* and the local people gathered at the place of occurrence and except this there is no other material to show the petitioners' involvement in the alleged crime and the petitioners have got fair and clean antecedent and they have not remained involved in any similar type of offence in view of statement made in paragraph 3 of this bail petition, in my opinion, petitioners have made out a prima facie case for grant of anticipatory bail. Accordingly, let the petitioners named-above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on



anticipatory bail in connection with Hajipur Sadar P.S. Case No. 291/ 2024 on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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