

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57200 of 2024

Arising Out of PS. Case No.-82 Year-2023 Thana- ANDHRATHARHI District- Madhubani

1. Birchand Sadai @ Virchand Saday @ Virchan Sadai @ Vir Chan Sadai Son Of Jitan Saday Village- Marukiya, PS- Andhratharhi, Dist- Madhubani
2. Raju Saday @ Rajdev Saday @ Rajdeo Sadai Son Of Ram Vilash Sadai Village- Marukiya, PS- Andhratharhi, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Bharti, Advocate
		Ms. Nitu Kumari, Advocate
For the Opposite Party/s	:	Ms. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with Andhratharhi P.S. Case No.82 of 2023 instituted under Sections 272 and 273 of the I.P.C. and Section 30(a) of the Bihar Prohibition and Excise Act.

3. There is recovery of 17 litres country made liquor from back of the houses of the petitioners. It is also alleged that from a canal, 22 litres country made liquor was recovered.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case due to village politics. Petitioners have no concern with the



seized liquor. Nothing incriminating article has been recovered from conscious possession of the petitioners. The recovery of liquor was made from open place. Petitioners have no criminal antecedent and they undertake to cooperate in the investigation and the trial.

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 on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Jhanjharpur, Madhubani in connection with Andhratharhi P.S. Case No.82 of 2023 corresponding to G.R. No.442 of 2023, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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