

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54130 of 2024

Arising Out of PS. Case No.-59 Year-2024 Thana- KARPURIGRAM District- Samastipur

1. Brajesh Sahni SON OF DILIP SAHNI Resident of VILLAGE-SHAMBHUPATTI, PS- KARPURIGRAM, DIST- SAMASTIPUR
2. ABHISHEKH KUMAR @ BALKA @ ABHISHEKH KUMAR @ BALAK SON OF BHOLA SAHNI Resident of VILLAGE- MOHAMDPUR (MOHAMDA, PS- PUSA, DIST- SAMASTIPUR, P/A- Resident of VILLAGE- SHAMBHUPATTI, PS- KARPURIGRAM, DIST- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate
For the Opposite Party/s : Mr. Md. Nazir Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 06-08-2024 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 the Bihar Prohibition and Excise (Amendment) Act, 2022.
3. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of two cases and petitioner no. 2 has antecedent of one case.
4. Allegation is of recovery of 271.80 litres of liquor from a car.
5. Learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was



recovered from their conscious possession and are not the owner of the seized vehicle. It is further submitted that petitioners came to be implicated based on the secret information which is the easiest way to implicate someone. It is next submitted that it appears that the police, in order to save the real culprits, falsely implicated the petitioners taking advantage of their antecedent.

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

7. Considering the submissions made by the learned counsel for the petitioners, let 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.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Karpurigram P.S. Case No. 59 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, the learned trial court, before accepting the bail bonds of the petitioners, shall verify the criminal antecedent of the petitioners and if it is found that petitioner no. 1 has antecedent of more than two cases and petitioner no. 2 has



antecedent of even case in that event the present anticipatory
bail order shall not be given effect to.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

