

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56004 of 2024

Arising Out of PS. Case No.-83 Year-2024 Thana- BEERPUR District- Begusarai

1.

Puja Devi W/o Sharwan Sahni R/o vill - Sahuri, P.S. - Birpur, Distt. - Khagaria
2.

Sharwan Sahni S/o Late Upendra Sahni R/o vill - Sahuri, P.S. - Birpur, Distt. - Khagaria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2

08-08-2024

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 offences punishable under Section 30(a) of the Bihar Excise Act.

3.

Learned counsel for the petitioners submits that the petitioner No. 1 is a person with clean antecedent and is a woman and petitioner No. 2 has antecedent of one case and allegation is of recovery of 75 litres of liquor from the house of Arun Sahani.

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 alleged recovery is from a place which does not belong to the petitioners and they came to be implicated based on secret information as petitioner No. 2 is brother of Arun Sahani but then lives separately which amply demonstrates that how easy it is for the police to implicate based on secret information without holding a proper investigation.

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. 5,000/- (Rupees Five 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 Birpur P.S. Case No. 83 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that the learned trial court before accepting the bail bonds of the petitioners shall verify the criminal antecedents of the petitioners and in the event if it is



found that the petitioner No.1 has antecedent of even one case and petitioner No. 2 has more than one antecedent, in that event the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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