

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69407 of 2024

Arising Out of PS. Case No.-336 Year-2024 Thana- SARAIYA District- Muzaffarpur

1. Bhushan Sahni @ Sunandan Sahni @ Musan Sahni Son of Lila sahni
Resident of Village- Bishun Basant, PS- Saraiya, District- Muzaffarpur
2. Baleshwar Sahni Son of Keshu Sahni Resident of Village- Govandipur
Basaitha, PS- Saraiya, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-09-2024 Learned counsel for the petitioners seeks permission to
withdraw the anticipatory bail application with respect to
petitioner no.1.

2. Permission is accorded.

3. Accordingly, the anticipatory bail application is
dismissed as withdrawn as against petitioner no.1.

4. Heard learned counsel for the petitioners as well
as learned APP for the State.

5. The petitioners seek bail in anticipation of their
arrest in a case registered for the offences punishable under
Sections 30(a), 32(2), 32(3) of the Bihar Prohibition and Excise
Act in connection with Saraiya P.S. Case No.336 of 2024.



6. The learned counsel for the petitioners submit that the petitioner no.2 is a person with clean antecedent and the allegation is of recovery of 20 liters of liquor from a maize field.

7. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and even alleged recovery is from a place which does not belong to the petitioner and is accessible to public at large and he came to be implicated based on secret information which is the easiest way to implicate someone.

8. The learned APP for the State opposes the anticipatory bail application.

9. Considering the submissions made by the learned counsel for the petitioners, the petitioner no.2 above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise Court-II, Muzaffarpur in connection with Saraiya P.S. Case No.336 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

10. It is made clear that the learned trial court before



accepting the bail bonds of the petitioner no.2 shall verify the criminal antecedent of the petitioner no.2 and in the event, if it is found that petitioner no.2 has antecedent of even one case in that event, the present anticipatory bail order shall not be given effect.

(Satyavrat Verma, J)

Prakash Narayan

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