

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.84266 of 2023**

Arising Out of PS. Case No.-172 Year-2023 Thana- CHACKMEHSI District- Samastipur

1. Vinod Sahni Son Of Ram Padarath Sahni Village Namapur Khedi, P.S. Chakmehsi, Dist. Samastipur
2. Chote Lal Sahni Son Of Ram Padarath Sahni Village Namapur Khedi, P.S. Chakmehsi, Dist. Samastipur
3. Radha Devi Wife Of Chhote Lal Sahni Village Namapur Khedi, P.S. Chakmehsi, Dist. Samastipur
4. Mano Devi Wife Of Dharmendra Sahni Village Namapur Khedi, P.S. Chakmehsi, Dist. Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Ajit Kumar

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      11-01-2024                      Heard learned counsel for the petitioners and  
learned APP for the State.

2. Learned counsel for the petitioners submits that  
he will not press the anticipatory bail application with regard  
petitioner no. 4.

3. Permission is granted.

4. Accordingly, this application with regard to  
petitioner no. 4 is dismissed as not pressed.

5. However, if the petitioner surrenders before the  
learned Court below within a period of six weeks from today



and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order, considering the fact that the petitioner has no criminal antecedent and she is a female.

6. Now, this application is being heard only with regard to petitioners no. 1, 2 and 3.

7. Heard learned counsel for the petitioners and learned A.P.P. for the State.

8. The petitioners apprehend their arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

9. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioners rather 900 ml. of foreign made liquor is said to have recovered from the but of co-accused Mano Devi. He submits that the name of the petitioners have been disclosed by the nearby people but the informant has not disclosed the name of of the persons who have identified the petitioners. He further submits that petitioners have no criminal antecedent as stated in para-3 of the bail application.

10. Petitioner are agreed to deposit a sum of



Rs.5,000/- (Rupees Five Thousand) **each** in Mahavir Cancer Sansthan, Patna, bearing Account No.3332964762, IFSC Code: CBIN0282779, Central Bank of India, Chitkohra Branch, Patna.

11. Having regard to the facts and circumstances of the case and the fact that there is nothing recovered from the conscious possession of the petitioners, let the above named petitioners no. 1, 2 and 3, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Chakmehsi P.S. Case No.172 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., subject to the further conditions that:

(1) That one of the bailors will be a close relative of the petitioners, who will give an affidavit giving genealogy as to who he is related with the petitioners. He will also undertake to inform the Court if there is any change in the address of the petitioners.

(2) That the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioners are implicated



in any other case of similar nature after their release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

12. The bail bond of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Mahavir Cancer Sansthan, Patna.

(Anjani Kumar Sharan, J)

anand/-

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