

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1602 of 2025

Arising Out of PS. Case No.-125 Year-2024 Thana- PARSA District- Saran

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1. Rajesh Sahani @ Rajesh Kumar Son of Nageshwar Sahani Resident of Murahi Hasanpura, P.S.- Maker, District - Saran, Bihar
 2. Sandeep Sahani @ Sanjeev Kumar Son of Ramanand Sahani Resident of Salempur, P.S. - Lalganj, District - Vaishali, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhijeet Abhigyan, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 31-01-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 30(a), 32(3), 41 of the Bihar Prohibition and Excise Act.

3. As per prosecution case, 1250 litres county made liquor has been recovered from boat.

4. Learned counsel for the petitioners submits that no incriminating material has been recovered from conscious possession of these petitioners. The boat in question does not belong to the petitioners and they are not concerned with the alleged recovery. Petitioner No. 2 claims clean antecedent.



5. Learned A.P.P. for the State vehemently opposed the bail application and submitted that petitioner No. 1 has got four criminal antecedents out of which three antecedents are of similar nature.

6. Considering huge quantity of recovery and the fact that petitioner No. 1 has got four criminal antecedents, prayer for anticipatory bail of petitioner No. 1 is rejected.

7. However, considering the nature of accusation and clean antecedent, the anticipatory bail with regard to above named petitioner No. 2 is allowed and it is ordered that let the above named petitioner No. 2 in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of 3rd Exclusive Special Excise Judge, Saran at Chapra in connection with Parsa P. S. Case No. 125 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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