

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.335 of 2015

Arising Out of PS.Case No. -74 Year- 2014 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

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Birendra Sahani, Son of Chandramal Sahani, R/O Vill- Bherihari, P.S. –
Sugauli, District – East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2, Advocate.

For the Opposite Party/s : Mr. Shailendra Kr. 1(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 08-01-2015

Heard both sides.

The petitioner Birendra Sahani apprehends his arrest in Sugauli P.S. Case No. 74 of 2014, registered for the offences punishable under Section 47 A of the Excise Act and other Sections of the Indian Penal Code.

The police raided a place situated on the bank of Sikrahana river and arrested two persons Sunny Yadav and Akhilesh Ram who disclosed the name of the petitioner and one Munnilal Sahani as the persons who were preparing illicit country made liquor.

It is submitted that the petitioner is a homeguard jawan and he has got no criminal antecedent. On the date of occurrence he was on election duty.

It appears that the name of the petitioner came from the mouth of the persons who were arrested on the spot while preparing illicit liquor and the police did not collect any further evidence to show the involvement of the petitioner.

Considering the facts aforesaid, the petitioner, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to 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 the learned Additional Chief Judicial Magistrate, Motihari, East Champaran in connection with Sugauli P.S. Case No. 74 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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