

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51446 of 2014

Arising Out of PS.Case No. -109 Year- 2014 Thana -HATHAURI District- MUZAFFARPUR

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1. Rakesh Kumar Sahni
2. Rajesh Kumar Sahni Both S/o Ganga Sahni Resident of Village Jagarnathpur, P.S. Hathauri, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratneshwar Prasad

For the Opposite Party/s : Mr. T.N. Thakur (APP)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 07-05-2015 Heard learned counsel for the petitioners and the learned Additional Public Prosecutor appearing on behalf of the State.

This is an application seeking anticipatory bail in a case registered for the offences punishable under Sections 272 of the Indian Penal Code and 47(a) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioners for the first time have been implicated in a case under Section 47(a) of the Bihar Excise Act. He has further submitted that even as per the prosecution story, 17 liters of Whisky brand were recovered from an abandoned place where petitioners' motorcycle was parked. According to him, no recovery was made from his conscious possession.

In view of the submission as above, let petitioners above named in the event of their arrest/surrender within four weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in Hathauri P.S. Case No. 109 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This will be subject to the conditions that the petitioners shall make themselves available before the Excise officials and before the Court as and when required. It is observed that if they are again made accused in any case of similar nature, the prosecution shall be at liberty to approach this Court for cancellation of their bail bonds.

(Chakradhari Sharan Singh, J)

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