

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33291 of 2016

Arising Out of PS.Case No. -99 Year- 2015 Thana -TAJPUR District- SAMASTIPUR

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1. **Shiv Nath Sahni Son of Late Ram Jatan Sahni**
 2. Sanoj Sahni @ Saroj Sahni Son of Vishwanath Sahni
 3. Kanahai Sahni son of Dukhi Sahni
 4. Sanjay Sahni Son of Ramsaresht Sahni
 5. **Ajeet Sahni Son of Late Jagernath Sahni**
 6. Umesh Sahni Son of Late Ganga Sahni
 7. Achal Sahni @ Anchali Sahni Son of Late Gimit Lal Sahni
 8. Sunil Sahni Son of Kusheshwar Sahni
 9. Anjani Sahni Son of Agnu Sahni
 10. Gena Sahni Son of Bajjar Sahni
- All are Resident of village- Indarwara Jitvarpur, P.S.- Tajpur (Halai), Distt.- Samastipur

..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha

For the Opposite Party/s : Mr. Smt. Suman Kumari Singh

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 15-11-2016 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

At the outset, learned counsel for the petitioners submits that during the pendency of this application, petitioner nos. 2, 3, 4, 6, 7, 8, 9 and 10 have surrendered in the court below and as such, the application against them has become infructuous.

Accordingly, the application, as against them, is dismissed being infructuous.

The petitioner nos. 1 and 5 apprehend their arrest in

connection with Tajpur (Halai) P.S. Case No. 99 of 2015 for the offences registered under Sections 147, 149, 341, 323, 427, 224, 332, 333 and 353 of the Indian Penal Code and Section 47(A) of the Excise Act.

Learned counsel for the petitioners submits that petitioner nos. 1 & 5 were part of the Mela where the alleged liquor was being sold.

Considering the nature of allegation made against the petitioner nos. 1 & 5 and that there is general and omnibus allegation against them, let the petitioner no. 1 and 5, namely, Shiv Nath Sahni and Ajeet Sahni, in the event of their 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, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate – 1st, Samastipur in connection with Tejpur (Halai) P.S. Case No. 99 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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