

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48144 of 2016

Arising Out of PS.Case No. -213 Year- 2016 Thana -MINAPUR District- MUZAFFARPUR

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1. Shatrughan Sahani Son of Raja Sahani
2. Ram Chandra Sahani Son of Late Pradip Sahani Both Resident of
village - Dumariya, P.S. Minapur, District - Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyavrat Verma

For the Opposite Party/s : Mr. Sri Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 15-12-2016 Heard Mr. Satyavarat Verma for the petitioners and Mr.
Jagdhar Prasad, APP for the State.

The two petitioners herein are cited accuseds of Minapur P.S. Case No. 213 of 2016 registered under sections 272,273 & 290 IPC including diverse penal provisions of the Bihar Excise (Amendment) Act, 2016. They have prayed for anticipatory bail.

On a tip-off, the informant went to the hut belonging to the petitioners and allegedly recovered two plastic cans, each containing 15 litres of country made liquor as well as tools used in manufacturing of country made liquor recovered from the hut of petitioner no.1 whereas from the hut of petitioner no.2 five litres of country made liquor was recovered.



The contention of the petitioners is that they were not present at the place of occurrence. There are discrepancies in the seizure memo with respect to the seizure of the items inasmuch as what kind of tools and apparatus or instruments were recovered have not been clearly been stated. They have clean antecedents.

Learned APP opposed the prayer and pointed out that the recovery of country made liquor has been made from the hut belonging to the petitioners.

Looking to the allegations, I am not inclined to extend the petitioners the privilege of anticipatory bail. Prayer is accordingly rejected.

Let the petitioners surrender and pray for regular bail in the court below which shall be considered and disposed of on its own merit in accordance with law.

(Kishore Kumar Mandal, J)

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