

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33696 of 2016

Arising Out of PS.Case No. -76 Year- 2016 Thana -MAJORGANJ District- SITAMARHI

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1. Shankar Sahani Son of Bali Sahani, Resident of village- Dheng, P.S. Majorganj, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh--Advocate

For the Opposite Party/s : Mr. Yogendra Kr. Singh(A.P.P.)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

02 18-08-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor.

Police officials having been informed, reached at the destination where two persons were found sitting since before having a gunny bag as well as a bag, who seeing the police ran away. They were chased and apprehended. On search, altogether 186 bottles of wine (Sufi) measuring 55.800 litres was seized. On query, it has also been disclosed that petitioner had confessed to the effect that he had brought the aforesaid wine from Nepal and was to be sold to Bajrangi, the another co-accused, who was to lift the same to Motihari.

It has been submitted on behalf of petitioner that from the written report itself, it is apparent that nothing was

recovered from the conscious possession of the petitioner. Petitioner and co-accused, Bajrangi was apprehended in suspicious condition and only to justify their detention, such kind of disclosure has been made. Had there been, complicity of petitioner including other, they have slipped seeing the police jeep in a lonely place, but their presence till arrival of the police speaks otherwise. Apart from this, petitioner has got no criminal antecedent and is under custody since 10.04.2016.

On the other hand, learned Additional Public Prosecutor opposed the prayer.

In the aforesaid facts and circumstances of the case, petitioner, **Shankar Sahani** is directed to be released 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-1st, Sitamarhi in connection with Majorganj (Suppi) P. S. Case no.76 of 2016.

(Aditya Kumar Trivedi, J)

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