

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7204 of 2016

Arising Out of PS.Case No. -11 Year- 2014 Thana -GOVERNMENT OFFICIAL COMP. District-
EASTCHAMPARAN(MOTIHARI)

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1. BHUSHAN SAHANI son of Mosafir Sahni,
2. DHARMENDRA PASWAN Son of Yogendra Paswan,
Both residents of Village- Bardanha, P.S- Muffasil, District- East
Champaran.

..... Petitioner/s
Versus

1. The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Shyam Bihari Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 18-02-2016 Heard learned counsel for the petitioners and the
State.

The petitioners are apprehending their arrest in a
case registered for the offences punishable under Sections
47A of the Excise Act.

The prosecution case is that 3200 K.gs of raw
materials for preparing liquor and 140 liters of country
made liquor were recovered from the embankment of
Sikrahana river, when on enquiry it was found that the
liquor shop was running by the petitioners.

It is submitted by the learned counsel for the
petitioners that only on suspicion the accusation has been
levelled. There is nothing on record to suggest that the place of

recovery belongs to the petitioner. Statement has been made in para-3 of the petition that petitioners have no criminal antecedent. The seizure was made on 25.12.2013, but the prosecution case reached to the court of learned Chief Judicial Magistrate on 09.01.2014.

Considering the delayed transmission of the prosecution report, coupled with the suspicious nature of accusation and statement has been made in para-3 of the petition that petitioners have no criminal antecedent, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Excise Case No. 11 of 2014, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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