

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40522 of 2016

Arising Out of PS.Case No. -366 Year- 2016 Thana -AHIAPUR District- MUZAFFARPUR

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1. Kishor Sahni S/o Fauzdar Sahni
2. Kishundev Sahni @ Kishundar Sahni S/o Debki Sahni
3. Bindeshwar Sahni S/o Shib Nandan Sahni
4. Mukesh Sahni S/o Kishore Sahni. All are residents of Village-Vijay Chhapra, P.S.Ahiyapur ,District Muzaffarpur Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Jha, Advocate
For the Opposite Party/s : Mr. Smt. Veena Rani Prasadd., A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 22-09-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Ahiyapur P.S. Case No. 366 of 2016, disclosing offences under Sections 272 and 273 of the Indian Penal Code and Section 47, 50 and 51 of Bihar Excise Amendment Act.

On the basis of secret information, the Police conducted raid in a few temporary shops on the side of N.H.-77, on the southern side of Old Zero Mile, Muzaffarpur. It appears from the First Information Report that substantial quantity of toddy and some quantity of country made liquor was recovered in course of such raid.

Learned counsel for the petitioners has submitted, referring to the First Information Report, that the petitioners have

been implicated on the basis of names suggested by the persons present at the place of occurrence to the Police. He has submitted that they have been falsely implicated in this case at the instance of local people and there is no material to show that the said shops were being run by the petitioners.

Considering the submissions as above, this application is allowed.

Let the petitioners, above-named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Ahiyapur P.S. Case No. 366 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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