

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26188 of 2017

Arising Out of PS.Case No. -119 Year- 2017 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

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Bikrama Sahani, Son of Babani Sahani, resident of Village Damobirti, Police
Station Harsidhi, District- East Champaran, Motihari.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 01-07-2017

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Harsidhi P.S. Case No. 119 of 2017 dated 26.03.2017 instituted under
Sections 272/273 of the Indian Penal Code and 30/36/37(a)/38 of the
Bihar Prohibition and Excise Act, 2016.

3. The allegation against the petitioner is that he along
with co-accused was selling illegal wine.

4. Learned counsel for the petitioner submitted that he
was not caught and there is no recovery from him and only on the
confessional statement of the other co-accused Dilchand Sah, he has



been made an accused. It was further submitted that he is not associated with any illegal selling of wine.

5. Learned A.P.P. submitted that 30 litres of wine has been recovered which was clearly not for his self consumption and was for the purpose of being sold and once there is a law of prohibition in the State of Bihar, the petitioner being identified by his own colleagues in the said illegal business, he does not deserve any indulgence.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on anticipatory bail.

7. The application, accordingly, stands dismissed.

(Ahsanuddin Amanullah, J)

Anjani/-

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