

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54246 of 2017

Arising Out of PS.Case No. -114 Year- 2016 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

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1. Kanahaiya Lal Sahni @ Kanhai Sahani son of Chanderdeo Sahni
2. Dindayal Sahni son of Chandradeo Sahni
3. Surendra Sahni son of Chandradeo Sahni
4. Umesh Kumar Son of Late Bhulan Sah Resident of Village - Lahladpur,
P.S. Madhuban, District - East Champaran.

.... Petitioner/ss

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-12-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case
instituted under Sections 272, 273 of the Indian Penal Code and
47, 51, 52, 53 and 54 of Bihar Excise Amendment Act, 2016.

The prosecution story, in brief, is that 2386 litres of
liquor is said to have been recovered.

It has been submitted on behalf of the petitioners that
the petitioners have got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the
petitioners. The name of the petitioners has come on the basis of



confessional statement of co-accused made before police as per F.I.R. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 2386 litres of liquor is recovered from the cement store room of the construction company, which was constructing a bridge. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners had no knowledge regarding the alleged incident. There is no compliance of section 100 of the Cr.P.C.

On behalf of the state, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of six weeks from today in connection with Pakaridayal P.S. Case No.114/2016 on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari, East Champaran, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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