

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60105 of 2017

Arising Out of PS.Case No. -276 Year- 2017 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

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1. Sanjay Sahni, Son of Chandradeo Sahni.
2. Kapildeo Sahni, Son of Chandradeo Sahni.
3. Manoj Sahni, Son of Musafir Sahni.
4. Milan Sahni @ Milan Kumar Sahni, Son of Kapildeo Sahni. All are
resident of Village- Bakhri Nazir, P.S.- Mahesi, District- East Champaran.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh

For the Opposite Party/s : Mr. Rajkishore Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-12-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case
instituted under Sections 30/38 of Bihar Prohibition and Excise
Act, 2016.

The prosecution story, in brief, is that 4 litres of liquor
is said to have been recovered from a vehicle in question.

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 4 litres of liquor is recovered from a vehicle in question. The vehicle does not belong to the petitioner. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of section 100 Cr.P.C.

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

Considering the aforesaid facts and circumstances, let the petitioner 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 Mahesi P.S. Case No. 276/2017 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge-cum-Special Judge (Excise), Motihari, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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