

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4750 of 2018

Arising Out of PS.Case No. -496 Year- 2016 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Rajesh Sahni, Son of Jagdish Sahani.
2. Govinda Sahni @ Govinda, Son of Jagdish Sahni, Both resident of
Village- Bhataha, Police Station- Muffasil Motihari, District- East
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Smt. Nirmala Kumari

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 05-02-2018 Heard the learned counsels for the petitioners and
the State.

The petitioners seek bail in anticipation of their arrest
in connection with Motihari (Muffasil) P.S. Case No. 496 of 2016
dated 22.12.2016 instituted for the offences under Sections 272
and 273 of the Indian Penal Code and under Section 30(a) of the
Bihar Prohibition and Excise Act, 2016.

One tempo which had met with an accident was
searched and approximately 118 bottles of liquor was recovered
from the same.

Hence the subject FIR.

During the course of investigation, one Hamid Alam,



a mechanic, disclosed that the petitioners had called him for repairing the aforesaid tempo. This is the only material on which the petitioners are sought to be prosecuted in the present case.

Learned counsel for the petitioners has submitted that neither had they contacted aforesaid Hamid Alam for repair of any tempo nor are they concerned with that tempo at all. It has further been submitted that on such slender material, the petitioners ought not to be prosecuted.

For the afore stated facts, the petitioners above named are directed to be released in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rs. Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned 7th Additional Sessions Judge-cum-Special Judge, East Champaran at Motihari in connection with Motihari (Muffasil) P.S. Case No. 496 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

KKSINHA/-

U		T	
---	--	---	--

