

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7564 of 2018

Arising Out of PS. Case No.-614 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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Umesh Sahani @ Umesh Sah @ Umesh Sahni S/o Shakun Sahni @ Shukan Sahni, R/o Village- Rampur Barahi, P.O.- Barahi, P.S.- Riga, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jagjit Roshan

For the Opposite Party/s : Smt. VEENA RANI PRASADD.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 33 liters of nepali wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has transpired as the alleged recovery is said to have been made from the joint house of the petitioner where the other family members also reside.



Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 33 liters nepali wine is recovered from the joint house of the petitioner and from a motorcycle in question. There is no recovery from the conscious possession of the petitioner. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the complaint.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II-cum-Special Judge, Excise, Sitamarhi in connection with Case No. C2/614/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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