

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35749 of 2018

Arising Out of PS. Case No.-145 Year-2018 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Vinay Sahani, son of Suresh Sahani, resident of Village -
Ajgarwa, P.S. - Lakhaura, District - East Champaran.
 2. Ranjeet Sahani, son of Madan Sahani
 3. Mukesh Sahani, son of Radhey Shyam Sahani
- Both residents of Village - Ajgarwa, P.S. - Banjariya, District -
East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Umesh Chandra Verma
For the Opposite Party/s : Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 28-06-2018 Heard Sri Umesh Chandra Verma, learned counsel for
the petitioners and Dr. Indihar Kumari , learned Additional
Public Prosecutor.

Three petitioners, having clean antecedent, which
fact has been stated in paragraph no. 3 of the petition,
apprehending their arrest in connection with Muffasil
(Lakhaura) P.S. Case No. 145 of 2018, registered for the
offence under Section 272, 273, 34 of the Indian Penal Code,
1860 and Section 30(a)(d) of the Bihar Prohibition and Excise
Act, 2016, have prayed for grant of bail in the event of their
arrest or surrender.

Learned counsel for the petitioners submits that in this



case Police Party reached near the bank of Tilave river and noticed four persons fleeing away. Police recovered about 110 liters of country made liquor from the side of the bank of the river and arrested one of the accused persons. It has been argued that the person who was arrested disclosed the name of petitioners and others. It has been argued that save and except confessional statement of the co-accused which was made before Police, there is no other connecting material against the petitioners.

Learned Additional Public Prosecutor has opposed the prayer, however, he has not disputed the fact that all the petitioners are having clean antecedent and they have been made accused only on the basis of confessional statement of the co-accused.

Accordingly, in the event of their arrest or surrender within a period of six weeks from today, let aforesaid three petitioners (1) Vinay Sahani (2) Ranjeet Sahani and (3) Mukesh Sahani be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Motihari, East Champaran / concerned court in connection with Mufassil (Lakhaura) P.S. Case No. 145 of



2018 subject to the conditions as contemplated under Section
438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J)

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