

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38813 of 2018

Arising Out of PS.Case No. -74 Year- 2018 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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1. Dhruv Sahani son of Hardev Sahani
2. Basant Sahani son of Husaini Sahani, Both are resident of Village-
Agarwa, P.S.- Nagar, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Gautam

For the Opposite Party/s : Mr. Smt. Renuka Ratnakar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-07-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case
registered under Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

The prosecution case, in short, is that 20.6 liters wine is
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 transpired on the basis of disclosure
made by the co-accused Narad Sahani. Except for this, there is no



other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 20.6 liters wine is recovered from the shop of the co-accused Narad Sahani. 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 Cr.P.C.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, 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) each with two sureties of the like amount each to the satisfaction of learned 4th Additional Sessions Judge-cum-Special Judge, Excise, Motihari, East Champaran in connection with Nagar P.S. Case No. 74 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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