

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.66707 of 2018

Arising Out of PS. Case No.-182 Year-2018 Thana- HATHAURI District- Muzaffarpur

Satrughan Sahni, Son of Lal Babu Sahni, Resident of Village-Narkatiya, P.S.-
Hathuri, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Bela Singh, Adv.

For the Opposite Party/s : Ms. Veena Rani Prasadd, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 17-12-2018 The petitioner seeks bail in anticipation of his arrest in connection with Hathauri P.S. Case No. 182 of 2018, dated 28.08.2018, instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

One private person, viz., Bhola Sahni has lodged the First Information Report alleging that while he has coming back home, he saw a motorcycle being driven in a rash and negligent manner. When he signalled the



motorcycle to stop, the rider of the motorcycle ran away. On the aforesaid motorcycle, there was a sack full of bottles of liquor. Approximately six litres of liquor was found in the aforesaid sack. No sooner the S.H.O. of the concerned police station was informed about the occurrence, he also came. Before the arrival of the police officer, the petitioner came to the spot and threatened the informant of dire consequences.

The learned counsel for the petitioner has submitted that the aforesaid act of the informant in lodging a false case against the petitioner is evident from the fact that there is no recovery from the house of the petitioner. The recovery is said to have been made by a private person near the boundary wall of the house of the petitioner. The motorcycle which was being driven by someone else does not also belong to the petitioner.

Earlier, the petitioner had filed a case against the informant *vide* Hathauri P.S. Case No. 128 of 2009. The father of the informant has also filed a case against the petitioner, reference of which has been given in paragraph 3



of the bail petition. Apart from the aforesaid case referred to in paragraph 3 of the bail petition, there is no other criminal case against the petitioners.

Considering the aforesaid facts, the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of the present order, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Hathauri P.S. Case No. 182 of 2018 (G.R. No. 1287/2018), subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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