

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71657 of 2018

Arising Out of PS. Case No.-314 Year-2018 Thana- KUDHNI District- Muzaffarpur

-
1. Anil Sahni S/o Sri Ram Udit Sahni.
 2. Amar Sahni @ Amarnath Sahni S/o Rameshwar Sahani. Both resident of Village- Kudhani Naya Tola, P.S. Kudhani, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma

For the Opposite Party/s : Mr. Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 12-12-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 414/34 of the I.P.C. and Sections 30(A), 38(i), 41(i) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 561.300 liters wine is recovered.

It has been submitted on behalf of the petitioners that the petitioner No.2 has got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioners. The name of the petitioners has transpired in the present case as the premises in question belongs to the joint



family of the petitioners. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 561.300 liters wine is recovered from the premises in question. 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) with two sureties of the like amount each to the satisfaction of learned Spl. Judge, Excise, Muzaffarpur in connection with Kudhani P.S. case No.314 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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

