IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22274 of 2018

Arising Out of PS.Case No. -14 Year- 2018 Thana -MAKER District- SARAN

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1. Raj Kumar Sahni, S/O Nagina Sahni.
2. Bajrangi Sahni, S/O Rambalak Sahni.
3. Kishore Sahni, S/O Rambalak Sahni.
4. Dilip Sahni, S/O Nanhak Sahni.
5. Awadesh Sahni, S/O Bishwanath Sahni.
6. Ashok Sahni, S/O Asharfi Sahni. All are residents of Village- Baligawan, P.S. Parsa, District- Saran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : M/S. Abhishek Kumar and Ujjawal Bhushan, Advocates.
For the Opposite Party : Mr. Manoj Kumar – 1, A.P.P. 185.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-04-2018 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 188, 272 273, 308 of the Indian Penal Code and 30, 30(a), 41, 47 of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 10 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent.

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There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. It is alleged that total 10 liters wine is recovered from the *Dam* situated at *Gandak* river. The name of the petitioner has come on the basis of secret information as per F.I.R. The source and genuineness of secret information has not been disclosed by the prosecution. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in this case. 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/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or 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 the learned Additional District Judge VI, Saran at Chapra, in connection with Maker P.S Case No. 14 of 2018**,** subject to the conditions as laid down under

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Section 438(2) of the Code of Criminal Procedure.

U.K./- **(Sudhir Singh, J)**

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