

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17323 of 2018

Arising Out of PS.Case No. -160 Year- 2017 Thana –GHANSHYAMPUR District- DARBHANGA

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1. Domi Sahni, Son of Late Lattar Sahni,
2. Raju Kumar Sahni @ Raju Sahni, Son of Domi Sahni, Both resident of
Village- Supaul Bazaar Ramnagar, P.S.- Biraul, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Vikram Singh

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh 1

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-03-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections-272 & 273 of the Indian Penal Code and Section-30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 300 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 names of the petitioners have transpired on the basis of disclosure made by the co-accused Rajesh Kumar Sahani and Rajeev Kumar Sahani. Except for this, there is no other substantive evidence to



suggest the implication of the petitioners in this case. It is alleged that 300 liters wine is recovered from water tank situated at Maa Kamla Matasya Hatchery. 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, Darbhanga in connection with Ghanshyampur P.S. Case No. 160 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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