

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 55475 of 2018

Arising Out of PS. Case No.-172 Year-2018 Thana- Musahari District- Muzaffarpur

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1. Dinesh Sahani @ Dinesh Sahni, S/o Late Batahe Sahani,
 2. Subodh Sahani @ Subodh Kumar S/o Dinesh Sahani,
 3. Ranjan Sahani S/o Gauri Sahani,
- All are R/o Vill.- Rajwara Dih, P.S.- Mushahari, District- Muzaffarpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Arvind Kumar
For the Opposite Party/s : Smt Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 06-10-2018 Heard Sri Arvind Kumar, learned counsel for petitioners and learned Addl. Public Prosecutor.

Three petitioners, apprehending their arrest in Mushahari P.S. Case No. 172 of 2018 registered for offence under Sections 272, 273 of the Indian Penal Code and Sections 30(a)(c)(d), 32, 37(d) of Bihar Prohibition and Excise Act, 2016, have prayed for grant of bail in the event of their arrest or surrender.

At the very outset, learned counsel for the petitioners has drawn my attention to statement made in paragraph-3 of the petition to show that petitioners are having clean antecedent. It has further been argued that nothing was recovered from the



conscious possession of the petitioners, rather in the case, some material meant for preparation of country-made liquor was found in the field of one another accused and petitioners were arrayed as accused, as if, they were found fleeing away. By way of referring to F.I.R., learned counsel for the petitioners submits that informant, who is police officer, has claimed that petitioners were identified in the torch-light.

Be that as it may, considering the fact that petitioners are having clean antecedent as well as nature of accusation, in the event of their arrest or surrender within a period of six weeks from today, let all the three petitioners namely (i) Dinesh Sahani @ Dinesh Sahni, (ii) Subodh Sahani @ Subodh Kumar and (iii) Rajan Sahani be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in connection with Mushahari P.S. Case No. 172 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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