

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.22024 of 2018**

Arising Out of PS. Case No.-403 Year-2017 Thana- CHIRAIYA District- East Champaran

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1. Bhanu Sahni,
2. Ranu Sahni, Both are the sons of Late Kharkhan Sahni, resident of Village- Saraswaghat, P.S.- Chiraiya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Md. Anis Akhtar

For the Opposite Party/s : Smt. Meena Singh

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**

ORAL ORDER

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

The petitioners are apprehending their arrest in a case registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 5 liters wine is recovered.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedents. There is no allegation of tampering of witnesses alleged against the petitioners. The name of the petitioners has transpired as the alleged recovery is made from the joint house of the petitioners where the other family members also reside. Except for this,



there is no other substantive evidence to suggest the implication of the petitioners in this case. It is alleged that 5 liters wine is recovered from the joint house of the petitioners. 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 Special Judge, Excise, Motihari, District East Champaran in connection with Chiraiya P.S. case No.403 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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