

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4633 of 2019

Arising Out of PS. Case No.-118 Year-2018 Thana- PASRAHA District- Khagaria

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Raja Sahni aged about 25 years (male) son of Kailash Sahni, Village –
Baluahi, P.S. + District Khagaria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 61 liters wine is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The name of the petitioner has come on the disclosure of co-accused Kanhaiya Kumar. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. It is alleged that 61 liters wine is recovered from the bus in



question. The petitioner was not travelling in the said bus. The petitioner has got no concern with the same. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner 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 petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, 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 Addl. Sessions Judge 2nd-cum-Special Judge, Excise, Khagaria in connection with Pasraha P.S. case No.118 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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