

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7965 of 2019

Arising Out of PS. Case No.-13 Year-2018 Thana- NADI NAINAHA District- West
Champaran

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1. Upendra Sahni, aged about 23 years (male), Son of Nagina Sahni
 2. Aman Kumar Singh @ Aman Singh, aged about 22 years (Male), Son of Durga Singh, Both are resident of Village - Rang Lalhi, P.S.- Dhanaha, District-West Champaran, Bagaha.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Gupta

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-02-2019 Heard learned counsels for the petitioners and the
State.

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

The prosecution case, as per the self statement of Mithilesh Kumar Pandey, S.H.O., Nadi Police Station, recorded on 30.03.2018 is to the effect that during night patrolling, one motorcycle was intercepted, but the accused persons escaped from the scene. It is alleged that while chase, a bag, kept on the



seat of the motorcycle and two mobile phones from the pocket of the informant were fallen. From the alleged bag, 13.14 litres of foreign liquor were recovered. During investigation, one of the recovered mobile phones was found registered in the name of the petitioner.

It is submitted by learned counsel for the petitioners that admittedly, recovery has not been made from the possession of the petitioners. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that one of the recovered mobile phones was found registered in the name of the petitioner.

Considering the fact that prosecution report does not suggest that recovery has been made from the possession of the petitioner, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Special Judge, Excise, West Champaran, Bettiah in



connection with Nadi P.S. Case No. 13 of 2018, subject to the
condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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