

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17986 of 2019

Arising Out of PS. Case No.-295 Year-2017 Thana- KUDHNI District- Muzaffarpur

Dilip Sahni @ Dilip Kumar Sahni, aged about 30 Years, M, S/o Rameshwar Sahni, Resident of village- Kerma Dih, P.S.- Kudhani, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Rajive Ranjan Singh, Advocate.
For the Opposite Party : Mr.Surendra Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-03-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 272, 273, 290 of the IPC and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution story, in brief, is that total 21 liters wine is said to have been recovered.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is alleged that total 21 liters wine is recovered from the house of co-accused Shambhu Paswan. The name of the petitioner has come on the basis of disclosure made



by co-accused Shambhu Paswan. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. 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/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned Special Judge, Excise, Muzaffarpur, in connection with Kudhani P.S. Case No. 295 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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