

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31947 of 2019

Arising Out of PS. Case No.-113 Year-2019 Thana- BAGHA District- West Champaran

Subhash Sahni @ Boss son of Hardeo Sahani @ Ganesh Sahani, Resident of village-Kailash Nagar, Ward No.7, P.S.-Bagaha (Pathkaulia O.P.), District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukul Prasad, Advocate
For the Opposite Party/s : Mr.B.N. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 15-05-2019 Heard both sides.

The petitioner apprehends his arrest in Bagaha P.S.
Case No.113 of 2019 registered under Sections 30(a) and 37 (c)
of the Bihar Prohibition and Excise Act.

The informant disclosed that he got secret inputs that brother of Hardeo Sahani @ Ganesh Sahani, namely, Mahant Prasad Sahani and two sons, namely, Subhash Sahani and Rohit Sahani were indulged in manufacturing and selling of liquor. On such information, a raid was conducted. Mahant Prasad Sahani (brother of Hardeo Sahani @ Ganesh Sahani) and Dipu Sahani were apprehended and 36 pieces each containing 500 ml (total 18 litres) country made liquor were recovered from the house of



the petitioner.

Learned counsel for the petitioner submits that the petitioner is a practising lawyer. Prior to institution of the present case, a resolution against police official was passed. The petitioner has got criminal antecedent and he is also accused in Bagaha (Pathkauli) P.S. Case No.406 of 2018 under Section 30(a) of the Bihar Prohibition and Excise Act. It is further submitted that recovery was made from a joint house and many family members are residing therein, but it transpires that on secret inputs that the petitioner, his brother and uncle were indulged in manufacturing and selling of liquor, a raid was conducted and 18 litres of country made liquor was recovered from the house of the petitioner. Mahant Prasad Sahani (brother of Hardeo Sahani) was apprehended and one Deepu Sahni, who was sleeping at the door of the petitioner after taking wine was also arrested.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below, the learned court below shall consider the prayer for regular bail of the petitioner on its own merit without being prejudiced from



the order of this court and, if possible, dispose of the bail
petition of the petitioner preferably on the same day.

(Prabhat Kumar Jha, J)

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