

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57863 of 2019

Arising Out of PS. Case No.-40 Year-2016 Thana- GOVERNMENT OFFICIAL COMP.
District- Darbhanga

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MANOJ SAHNI Son of Shankar Sahni Resident of Village - Basantganj
(Shivajee Nagar), P.S.- Town, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra
For the Opposite Party/s : Mr.Tapeshwar Sharma

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 16-09-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with G.O. Case No.40 of 2016, arising out of Prosecution
Report Case No.18 of 2016, registered under Section 30(a) of
the Bihar Prohibition (Excise Act), 2016.

The accusation is that on receiving secret information
about storing the illicit liquor by Raushan Kumar Sahni, Raj
Kumar Sahni alias Bhima and this petitioner in a front room of
the house of Pawan Kumar Gupta, situated in village-
Kathalbari, and selling the same at Shivaji Nagar Chowk, the
informant along with other Excise Officials made raid at Shivaji
Nagar Chowk. On seeing them, this petitioner and Raj Kumar



Sahni alias Bhima started to flee away but, on chase, Raj Kumar Sahni alias Bhima was apprehended, while petitioner succeeded to flee away. On search of Raj Kumar Sahni alias Bhima, one bottle, kept in a bag, containing one liter Indian Made Foreign Liquor, was recovered from his possession, whereas six bottles, each containing one liter Indian Made Foreign Liquor, were recovered from the front room of the house of Pawan Kumar Gupta.

Learned counsel for the petitioner submits that the alleged recovery was not made from the house of the petitioner nor the petitioner was present in his house. In fact, the petitioner is accused in one case of similar nature, as detailed in paragraph-3 to this application, due to that reason, the informant, who is Excise Official, got managed to implicate the petitioner in the present case.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the 2nd Additional Sessions Judge-cum-Special Judge (Excise Act), Darbhanga, in connection with



G.O. Case No.40 of 2016, arising out of Prosecution Report
Case No.18 of 2016, subject to the conditions laid down under
Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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