

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61935 of 2019

Arising Out of PS. Case No.-315 Year-2019 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Ekbal Sahni @ Ram Akbal Sahni, S/o Late Ruplal Sahni, R/o Village- Jhitkahiya, P.S.- Lakhaura, Dist.- East Champaran
 2. Sukhadi Sahni, S/o Late Khedu Sahni, R/o Village- Jhitkahiya, P.S.- Lakhaura, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-09-2019 This is an application for grant of anticipatory bail in connection with Muffasil (Lakhaura) P.S. Case No. 315 of 2019, disclosing offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per F.I.R. police got an information that petitioners and other accused persons are engaged in the trade of liquor. On that information, police intercepted one motorcycle of one Vayas Sahni carrying a bag and they came near the shop of the petitioner and Raj Kumar Sahni. Thereafter, leaving the liquor, they fled away. It is also alleged that 39 liters of liquor got recovered from the bag and 39 liters of liquor was also recovered from the motorcycle.

Submission of the learned counsel for the petitioners



is that the F.I.R. does not disclose any recovery from these petitioners and even according to the F.I.R. motorcycle was running by one Vayas Sahni and only on confidential information, petitioners have been made accused in this case.

Heard learned A.P.P. also.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioners, above named, surrender before the court below within a period of three weeks from the date of receipt of certified copy of this order, on surrender, they will be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of learned Special Judge Excise, East Champaran, Motihari, in connection with Muffasil (Lakhaura) P.S. Case No. 315 of 2019, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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