

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60779 of 2019

Arising Out of PS. Case No.-98 Year-2019 Thana- MAJORGANJ District- Sitamarhi

1. Mangni Devi, aged about 60 years, Female, W/o Asharfi Sahni, Resident of Village-Majkothwa, P.S.-Majorganj, District-Sitamarhi.
2. Asharfi Sahni, aged about 65 years, Male, Son of Late Vifai Sahni, Resident of Village-Majkothwa, P.S.-Majorganj, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Adv.

For the Opposite Party/s : Mr. Pushpa Sinha, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-09-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners apprehend their arrest in connection with Majorganj P.S. Case No.98 of 2019 registered under sections 272, 273 and 414 of the IPC and 30(a) of Bihar Prohibition of Excise Act, 2016.

The allegation against the petitioners, as per the first informant report, is that on secret information the police raided the house of Rameshwar Sahni and saw some persons fleeing away from the place of occurrence and recovered a total quantity of 252 liters of Nepali illicit liquor from the house of Rameshwar Shani with four motorcycle.



Learned counsel appearing for the petitioners submits that from perusal of the first information report, it is evident that the house of Rameshwar Sahni was raided and the petitioners are parents of Rameshwar Sahni. Learned counsel further submits that from perusal of the first information report prima facie no offence under the Excise Act is made out against the petitioners inasmuch as petitioners are living separately with Rameshwar Sahni as stated by the petitioners in paragraph 8 of the petition.

Having regard to the submission made by the parties and taking into consideration the fact that in the seizure list as well as the FIR it has been mentioned that illicit liquor has been recovered from the house of Rameshwar Sahni and the petitioners are parents and family members of Rameshwar Sahni, I am inclined to grant anticipatory bail to both the petitioners.

Accordingly, the petitioners, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 2nd Additional



Sessions Judge-cum-Special Judge, Excise, Sitamarhi, in connection with Majorganj P.S. Case No. 98 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

Anjula/-

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