

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.62454 of 2019

Arising Out of PS. Case No.-489 Year-2019 Thana- TURKAULIYA District- East
Champaran

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1. LALAN SAHANI, aged about 35 years, Male, Son of Banti Sahani,
Resident of Village-Chailaha Kothi Bin Toli, P.S-Banjariya, District-East
Champaran
 2. Umesh Mukhiya, aged about 30 years, Male, Son of Ramchandra Mukhiya,
Resident of Village-Chailaha Kothi Bin Toli, P.S-Banjariya, District-East
Champaran ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Umesh Chandra Verma, Adv.

For the Opposite Party : Mr. Akshay Lal Pandit, APP

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

ORAL ORDER

2 17-10-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with
Turkauliya (Banjariya) P.S. Case No. 489 of 2019 registered
under Sections 272, 273 and 34 of the Indian Penal Code and
30(A) of the Bihar Prohibition and Excise Act, 2016.

The accusation is that on receiving secret information
about carrying the liquor by the petitioners to sell, the
informant, along with other police officials, reached in village
Chailahan Kothi, then, saw both the petitioners having sack on
their heads. On seeing the police party both, throwing sacks,
fled away crossing the water, while they were chased. On
search, 46 bottles each containing 1 liter country made liquor
recovered.

Submission is that it would appear from first



information report that on information about carrying the liquor by the petitioners for sale, the informant, along with other police officials, reached there, both the petitioners succeeded to flee away from there, but, it is not indicated in the first information report that how the informant and other police officials identified both the petitioners. Petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Turkauliya (Banjariya) P.S. Case No. 489 of 2019 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge IX-cum-Special Judge, Excise, East Champaran at Motihari, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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