

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75031 of 2018

Arising Out of PS. Case No.-220 Year-2017 Thana- DURAULI District- Siwan

Munmun Sahni, Son of Late Kabal Sahni, Resident of Village-Gumawar, P.S.-
Darauli, Distt.-Siwan

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary
For the Opposite Party/s : Dr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-01-2019 Learned counsel for the petitioner is permitted to
make necessary correction in the petition.

Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 30(a), 37(c) and
38(1) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as per the written report of S.I.,
Ranjeet Kumar Singh, submitted to the Station House Officer,
Darauli Police Station, is to the effect that on 19.10.2017 at 5
P.M., the Chaukidar, Baidhnath Ram informed the informant
through mobile that co-accused Mahesh Sahni is selling liquor
and is creating nuisance after consuming liquor, when the raid
was led and co-accused Mahesh Sahni was apprehended in



inebriated condition, who disclosed the name of the petitioner, Munmun Sahni who escaped from the scene. The apprehended accused also disclosed that the petitioner used to bring the liquor from outside. It is further alleged that from the paddy filed in front of the house of co-accused, Mahesh Sahni, 22 bottles, each containing 180 M.L. of foreign liquor were recovered.

It is submitted by learned counsel for the petitioner that no recovery has been made from the petitioner. The recovery has been made from the paddy filed in front of the house of co-accused, Mahesh Sahni. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that name of the petitioner sprang up on the confession of apprehended accused.

Considering the fact that accusation does not suggest the recovery from the petitioner, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the



satisfaction of learned Additional District and Sessions Judge-II-
cum-Special Judge (Excise), Siwan in connection with Darauli
P.S. Case No. 220 of 2017, subject to the condition as laid down
under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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