

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69042 of 2019

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

=====

RAJ KUMAR SAHANI, Aged about 37 years, Male, Son of Sukat Sahani,
Resident of Village Jhitkahiyan, P.S. Lakhaura, District East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Sangeeta Sharma

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 15-11-2019 Heard both sides.

The petitioner apprehends his arrest in Muffassil
(Lakhaura) P.S. Case No.315 of 2019, registered under Section 30(a)
of the Bihar Prohibition and Excise Act.

The informant, S.I. of Lakhaura P.S. alleged that he got
information that Raj Kumar Sahani, Ekbal Sahani and Sukhari
Sahani were selling liquor. Vyas Sahani @ Jai Narayan Sahani was to
deliver the liquor to the petitioner and others. Vyas Sahani was
carrying liquor on his motorcycle bearing Registration No.BR05F-
3668. On such information, the motorcycle was intercepted in front
of the shops of the petitioner and others. From the dickey of the
motorcycle and the plastic bag tied on the seat of the motorcycle, 39
litres of country made liquor was recovered.

Learned counsel for the petitioner submits that the shop of



the petitioner was not searched. The recovery was made from the motorcycle of Vyas Sahani @ Jai Narayan Sahani and on mere suspicion that Jai Narayan Sahani was to deliver the liquor to the petitioner and others shopkeepers, the petitioner has been made accused.

Taking into consideration the facts that no liquor was recovered from possession of the petitioner and on mere suspicion of the police officer that Jai Narayan Sahani was going to deliver the liquor to the petitioner and other shopkeepers, petitioner and other shopkeepers are made accused in this case, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned IXth Additional Sessions Judge-cum-Special Judge, Excise, East Champaran, Motihari in connection with Muffassil (Lakhaura) P.S. Case No.315 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

S.KUMAR/-

U		T	
---	--	---	--

