

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5145 of 2020

Arising Out of PS. Case No.-34 Year-2019 Thana- HATHAURI District- Muzaffarpur

1. DILIP SAHANI Son of Shatrudhan Sahni Resident of Village - Dakarama, P.S.- Hathauri, Dist.- Muzaffarpur.
2. Ram Pravesh Sahani Son of Subhash Sahani Resident of Village - Dakarama, P.S.- Hathauri, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Kumar

For the Opposite Party/s : Mr.Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 31-01-2020 Heard learned counsel for the petitioners and the
counsel appearing on behalf of the State.

Petitioners are in custody connection with Hathauri P.S. Case No. 34 of 2019 for the offence under sections 272, 273, 467, 468, 420, 120(B)/34, 270, 228, 471, 472 and 419 of the Indian Penal Code and Section 30(a), 32(ii), 35(c), 36, 38(i) (ii) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that petitioners have no criminal antecedent and in the instant case there is recovery of 60 liters of raw spirit.

Learned counsel for the petitioners submits that nothing was recovered from the conscious possession of the



petitioners and mandatory provision of Section 100 Cr.P.C. was not followed in preparation of seizure list.

The petitioners are in custody since 24.12.2019.

Considering the fact that petitioners have no criminal antecedent, the Court is inclined to grant bail to the petitioners, let the petitioners, named above, be enlarged on bail on furnishing bail bond of Rs. 50,000/- (Fifty thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur, in connection with Hathauri P.S. Case No. 34 of 2019 subject to the condition that in future if the petitioners are found involved in similar such matters, the court below shall be at liberty to cancel the bail bond of the petitioners.

(Anil Kumar Upadhyay, J)

Ravi/-

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

