

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17675 of 2020

Arising Out of PS. Case No.-186 Year-2019 Thana- PARSA District- Saran

1. Dharmnath Sahni @ Doctor Sahni Son of Rameshwar Sahni Resident of Baligaw (Baligon), P.S. Parsa, District Saran at Chapra.
2. Banaras Rai Son of Kapil Dev Rai Resident of Baligaw (Baligon), P.S. Parsa, District Saran at Chapra.
3. Bhola Sahni Son of Govardhan Sahni Resident of Baligaw (Baligon), P.S. Parsa, District Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-10-2020

At the outset, learned counsel for petitioners informs that during pendency of this bail application, petitioner no. 1 namely Dharmnath Sahni @ Doctor Sahni has been arrested and as such, this bail application, so far as petitioner no. 1 is concerned, has become infructuous.

Accordingly, the anticipatory bail application, so far as petitioner no. 1 Dharmnath Sahni @ Doctor Sahni is concerned, stands dismissed, as same has become infructuous.

Heard learned counsel for the parties through video conferencing.

Petitioner no. 2 & 3 apprehend their arrest in Parsa P.S. Case No. 186 of 2019 registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

As per the prosecution case, on secret information, a



raid was conducted and 20 liters of country-made liquor is said to have been recovered from the bank of Gandak river. Petitioners are said to be members of a gang, who indulged in manufacturing of illicit liquor.

It is submitted on behalf of petitioners that petitioners are innocent and have committed no offence. Nothing has been recovered from their conscious possession. In fact, recovery has been made from a public place near the bank of Gandak river. Petitioners have no criminal antecedent, as stated in paragraph -3 of the petition.

Considering the aforesaid facts and circumstances, in the event of arrest or surrender within a period of eight weeks from the date receipt/production of copy of this order, let the above-named petitioner no. 2 & 3 be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 11th Additional District and Sessions Judge cum Special Judge, Excise, Saran at Chapra in connection with Parsa P.S. Case No. 186 of 2019, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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