

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80758 of 2019

Arising Out of PS. Case No.-26 Year-2019 Thana- PATAHI District- East Champaran

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BIPAT SAHANI @ VIPAT MUKHIYA Son of Kedar Mukhiya @ Kedar Sahani Resident of Village - Nonforwa (Dhangar Toli), P.S.- Patahi, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hemant Kumar Sharan, Adv.

For the Opposite Party/s : Mr.Atul Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 30-06-2020 Heard learned counsel for the petitioner as well as learned APP through video conferencing.

A drive was launched by the prosecution whereunder firstly, at the instance of local Chaukidar, Dinesh Ram, a hut was raided and during course thereof, others managed to escape while one person was apprehended who disclosed his identity as Shatrughan Sahani and therefrom 50 Litres of Toddy has been seized. The aforesaid Shatrughan disclosed that aforesaid Toddy belongs to Bipat Sahani (petitioner). Thereafter, the house of Raghunath Manjhi was raided at Dhangar Toli wherefrom 10 Kilograms of jaggery and 10 litres of local wine were found and seized. Thereafter, house of Anda Manjhi was searched wherefrom 10 litres of country made wine has been seized and during course thereof, one



Bhikhari Paswan was apprehended from whose possession 500 ML local wine has been seized.

Certainly, petitioner was not arrested at the spot nor there happens to be any kind of specific introduction of the fact that at the time of conduction of raid, he was also found.

In the aforesaid facts and circumstances of the case, petitioner, ***Bipat Sahani @ Vipat Mukhiya*** is directed be released on anticipatory bail in the event of arrest or surrender within four weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of ***7th Additional Sessions Judge-Cum-Special Judge, Excise, Motihari, East Champaran*** in ***Patahi PS Case No. 26/2019***, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Aditya Kumar Trivedi, J)

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