

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30558 of 2021

Arising Out of PS. Case No.-17 Year-2021 Thana- BACHHWARA District- Begusarai

RAKESH SAHNI, aged about 33 years, Male, Son of Gopal Sahni, Resident of Village- Arba, Ward No. 8, P.S.- Bachhawara, District- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ram Sumiran Rai, Advocate
For the Opposite Party : Mr. Murlidhar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-12-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of eight weeks.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is apprehending his arrest in connection with Bachhwara P.S. Case No. 17/2021 (G.R. No. 81/2021) for the offence registered under Sections 188/120(B) of the I.P.C. and Section 30(a)(d) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The prosecution story, in brief, is that total 5 liters wine alongwith utensils is said to have been recovered from the bank of the river.

It has been submitted by learned counsel for the



petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is alleged that 5 liters wine alongwith utensils is recovered from the bank of the river. The name of the petitioner has transpired in the present case on the basis of disclosure made by local residents and *Chaukidar*. The names of the local residents, who have named the petitioner, have not been disclosed by the prosecution. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner had no knowledge regarding the alleged incident. There is no compliance of Section 100 of Cr. P.C.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Begusarai, in connection with Bachhwara P.S. Case No. 17/2021, subject to



the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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