

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27925 of 2020

Arising Out of PS. Case No.-178 Year-2019 Thana- HARSIDHI District- East Champaran

Narayan Sahani, Son of Bijli Sahani, Resident of Village - Murli, P.S. - Sangrampur, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate.

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 02-02-2021 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Harsidhi P.S. Case No. 178 of 2019, registered under Sections 272, 273, 188 and 420/34 of the Indian Penal Code and 30(a) of the Bihar Excise Act.

The accusation is that on receiving secret information about keeping the bottles of Indian made foreign liquor at the cattle shed of Gusuk Mian, the informant along with other police personnel reached near the cattle shed of Gusuk Mian. On seeing the police party, one person started to flee away but on chase, he was apprehended, who disclosed his name as Gusuk Mian. On search, 96 bottles each containing 375 ml Indian made foreign liquor were recovered from the cattle shed of Gusuk Mian. On query, Gusuk



Mian disclosed that Bipin Giri and Narayan Sahani (petitioner) had come on motorcycle and put four cartoons containing bottles of Indian made foreign liquor in his cattle shed.

Learned counsel for the petitioner submits that it would appear from the FIR that the alleged recovery of Indian made foreign liquor was made from the cattle shed of Gusuk Mian, who in his confessional statement disclosed that the petitioner and one Bipin Giri had come and kept the bottles of illicit liquor in his cattle shed. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 9th Additional Sessions Judge-cum-Special Judge, Excise, East Champaran, Motihari, in connection with Harsidhi P.S. Case No. 178 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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