

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38000 of 2021

Arising Out of PS. Case No.-92 Year-2020 Thana- SIWAIPATTI District- Muzaffarpur

1. RAJKUMAR SAHNI @ RAM KUMAR SAHNI Son of Pratap Sahni Resident of Village Banghara, P.S. Siwaipatti, District Muzaffarpur.
2. PRATAP SAHNI Son of Late Jagdish Sahni Resident of Village Banghara, P.S. Siwaipatti, District Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-10-2021 Heard learned counsel for the petitioners and the State.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

The petitioners are apprehending their arrest in a case registered for the offence under Sections-272, 273, 420/34 of the Indian Penal Code and Section-30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, in short, is that 160 liters spirit is recovered.

It has been submitted on behalf of the petitioners that the petitioner No. 1 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners.



The petitioners have been falsely implicated in the present case. It is alleged that 160 liters spirit is recovered from joint house of the petitioner. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioners, above named, in the event of arrest/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) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Siwaipatti P.S. Case No. 92 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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