

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33116 of 2020

Arising Out of PS. Case No.-201 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

Sunil Sahni, age 24 years (M), S/o Late Govind Sahni, R/o Village-
Chakmotipur, Ward No. -13, P.s.- Tajpur, Dist- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Manoj Kumar, Advocate.
For the Opposite Party : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-02-2021 Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks.

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

The petitioner is apprehending his arrest in a case for
the offence registered under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

The prosecution story, in brief, is that total 13.68 liters
wine is said to have been recovered from the joint house of the
petitioner.

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 total 13.68 liters wine is



recovered from joint house of the petitioner. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. 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 Cr. P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./Complaint case.

Considering the aforesaid facts and circumstances of the case, the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six 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 2nd Additional Sessions Judge-cum-Special Excise Court or concern court, Samastipur, in connection with Excise Case No. 201/2020, G.R. No. 199/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

