

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48196 of 2021**

Arising Out of PS. Case No.-258 Year-2021 Thana- MOTIHARI MUFASIL District- East  
Champaran

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DASHRATH SAHANI Son of Akbal Sahani @ Ekbal Sahani Resident of  
Village - Jhitkahiya, P.S.- Lakhaura, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Abbhishek Kumar

For the Opposite Party/s : Mr.Satyendra Narayan Singh

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**

ORAL ORDER

2      15-11-2021

Heard learned counsel for the petitioner and the State.

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

The petitioner is apprehending his arrest in Muffasil P.S.  
Case No. 258 of 2021 registered for the offence under Sections-  
30(a), 32 & 41(i) of the Bihar Prohibition and Excise Act.

The prosecution case, in short, is that 70 liters wine is  
recovered.

It has been submitted on behalf of the petitioner that the  
petitioner has got no criminal antecedent. There is no allegation of  
tampering of witnesses alleged against the petitioner. The petitioner  
has been falsely implicated in the present case. It is alleged that 70  
liters wine is recovered from the bamboo clamp belonging to joint  
family of the petitioner. 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.

Considering the aforesaid facts and circumstances of the case, let the petitioner, 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) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Motihari, East Champaran in connection with Muffasil P.S. Case No. 258 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

A.K.V.//-

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