

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36997 of 2020

Arising Out of PS. Case No.-227 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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1. HARENDRA SAHANI Son of Krishna Sahani Resident of Village- Sohrayi,
P.S.- Turkauliya, District- East Champaran
 2. KAPIL SAHANI Son of Rambalak Sahani Resident of Village- Sohrayi,
P.S.- Turkauliya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-04-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

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

The petitioners are apprehending their arrest in a case
registered under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, in short, is that 400 liters spirit
is recovered.

It has been submitted on behalf of the petitioners that
the petitioners have got no criminal antecedent and there is no
allegation of tampering of witnesses alleged against the



petitioners. The petitioners have falsely been implicated in this case. It is alleged that 400 liters spirit is recovered from the bamboo orchard. The bamboo orchard does not belong to the petitioners. 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 complaint case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge-cum-Special Judge, Excise, Motihari, East Champaran in connection with Excise case No.227 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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