

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38984 of 2020

Arising Out of PS. Case No.-668 Year-2019 Thana- KUDHNI District- Muzaffarpur

RAVI SAHNI @ RAVI KUMAR, S/o Ram Jatan Sahni R/o Village-
Charkoriya, P.S.- Kudhani (Turki O.P.), District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rudal Singh

For the Opposite Party/s : Mr. Ashraf Ansari

Mr. Akshay Lal Pandit

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

ORAL ORDER

2 14-07-2021 As prayed for, let the learned counsel appearing for
the petitioner remove the defect(s), as pointed out by the office
vide its notes dated 23.12.2020, within four weeks of starting of
Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in connection
with Kudhni P.S. Case no. 668 of 2019, registered under
Sections 414, 467, 468 and 471/34 of the Indian Penal Code
and Section 30(a), 38(i) and 41(i) of the Bihar Prohibition and
Excise Act.

The accusation is that on receiving secret
information about carrying illicit liquor loading on ten wheeler
truck in Saraiya village for distributing the same to the local
sellers by loading on pick up van, the informant along with



other Police personnel reached there. In the headlight of Police vehicle, some persons were seen fleeing. On chase, two persons were apprehended, who disclosed their names Chandan Kumar Shahi and Ashok Kumar Singh, both disclosed that they are drivers of Pickup van bearing registration number BR-06GA-7647 and BR-33J-9702, respectively. They also disclosed that Rudal Thakur, son of Sobhit Thakur, Binu Kumar, son of Gajadhar Thakur, Tarkishore Choudhary, son of Banslal Choudhary, Rishi Kumar, son of Uday Singh and Ravi Sahni (Petitioner), son of Ram Jatan Sahani had carried liquor loading on ten wheeler truck from Haryana for distributing the same to the local liquor businessmen and the cartons of liquor were to be supplied to local illicit liquor businessmen loading on pick up vans. Thereafter, both apprehended persons were taken near the ten wheeler truck. On search of truck several bottles of Indian Made Foreign Liquor in volume of 2538 Litres recovered. From Bolero Pick up bearing registration No. BR-33J-9702, which was being driven by Ashok Kumar Singh, several bottles of Indian Made Foreign Liquor in volume of 1314 Litres and from another Pick up bearing registration No. BR-06GA-7647, which was being drive by Chandan Kumar Shahi, several bottles of Indian Made Foreign Liquor in volume of 1198 litres recovered.



Learned counsel for the petitioner submits that it would appear from the F.I.R. that petitioner was not apprehended on the spot, rather, his name has been disclosed by co-accused Chandan Kumar Shahi and Ashok Kumar Singh, who were apprehended on the spot, to the effect that petitioner and other named accused in the F.I.R. are indulged in carrying the illicit liquor from Harayana. Further submission is that while petitioner is accused in Turki P.S. Case No. 531 of 2018 for the offence under Sections 307 and 349 of Indian Penal Code, but in that case Final Form has been submitted by the Police.

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 four 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 learned Spl. Judge, Excise Act, Muzaffarpur in connection with Kudhni P.S. Case No. 668 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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