

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56419 of 2021

Arising Out of PS. Case No.-47 Year-2021 Thana- PAROO District- Muzaffarpur

1. MAHENDRAJIT KUMAR @ AMARJIT KUMAR @ AMARJIT SAHNI
SON OF MACMILAN SAHNI @ MICMILAN SAHNI RESIDENT OF
VILLAGE- FATEHABAD, P.S- PAROO, DIST- MUZAFFARPUR
2. RAGHU SAHNI @ RAGHUBAR SAHNI SON OF BISHUNI SAHNI
RESIDENT OF VILLAGE- FATEHABAD, P.S- PAROO, DIST-
MUZAFFARPUR
3. AVINASH KUMAR SON OF RAGHU SAHNI RESIDENT OF VILLAGE-
FATEHABAD, P.S- PAROO, DIST- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar

For the Opposite Party/s : Mr.Kanhaiya Kishore ,App,100

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 03-12-2021 Heard learned counsel for the petitioners and the State
through virtual mode.

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 Section-272, 273, 414/34 of the
Indian Penal Code and Section-30(a) of the Bihar Prohibition and
Excise Act, 2016.

The prosecution case, in short, is that 44.625 liters wine is
recovered.

It has been submitted on behalf of the petitioners that the
petitioners have got no criminal antecedent. There is no allegation of



tampering of witnesses alleged against them. They have been falsely implicated in the present case. It is alleged that 44.625 litres wine is recovered from the car. The car does not belong to the petitioners. The names of the petitioners have transpired in this case on the basis of disclosure made by co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in the present case. 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/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Paroo P.S. Case No. 47 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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