

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8151 of 2022

Arising Out of PS. Case No.-374 Year-2020 Thana- BAHERA District- Darbhanga

AMAR SAHNI @ AMAR KUMAR SAHNI Son of Hari Narayan Sahni
Resident of Village- Navtoliya, P.s.- Bahera, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Adv.

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 25-02-2022 Heard learned counsel for the petitioner and the State
through virtual mode.

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

The petitioner is apprehending his arrest in connection with G.O. Case No. 1118 of 2020 arising out of Bahera P.S. Case No. 374 of 2020 registered for the offence under Section-30(a) of the Bihar Prohibition and Excise Act.

The prosecution case, in short, is that 236.625 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 236.625 litres wine is recovered from a tempo and a hut. The



petitioner is not owner of the tempo, in question. So far the hut in question is concerned, the same belongs to the 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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Darbhanga in connection with G.O. Case No. 1118 of 2020 arising out of Bahera P.S. Case No. 374 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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