

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17797 of 2022

Arising Out of PS. Case No.-623 Year-2021 Thana- MALSALAMI District- Patna

DINNU SAHNI, aged about 34 years, Male, S/o Keshwar Sahni, R/o-
Nakhash, Machhua Toli, Near Devi Sthan, P.S.- Malsalami, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Arvind Kumar Pradhan, Advocate
For the Opposite Party : Mr. Abhay Kumar Roy, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-04-2022 Heard learned counsel for the petitioner and learned
counsel for the State through Virtual mode.

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

The petitioner is apprehending his arrest in connection
with Malsalami P.S. Case No. 623/2021 for the offence
registered under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

The prosecution story, in brief, is that total 54.03 liters
wine is recovered from the joint house of the petitioner.

It has been submitted by learned counsel for the



petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is alleged that 54.03 liters wine is recovered from the joint house of the petitioner. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. 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. Learned counsel for the petitioner has placed reliance upon the order dated 13.04.2022 passed by the Hon'ble Supreme Court in Criminal Appeal No. 626 of 2022(Sweta Kumari-Versus-State of Bihar).

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or 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 the learned Special Judge, Excise, Patna City, in connection



with Malsalami P.S. Case No. 623 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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