

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20002 of 2022

Arising Out of PS. Case No.-633 Year-2020 Thana- SARAIYA District- Muzaffarpur

1. Yogendra Sahani @ Gajendra Kumar @ Gajendra Sahani Son Of Bharat Sahni Resident Of Village -Bahilwara Govind Lakshmipur P.S. - Saraiya, District - Muzaffarpur, Bihar.
2. Sanjay Sahani Son Of Bharat Sahni Resident Of Village -bahilwara Govind Lakshmipur P.S. - Saraiya, District - Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan
For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-08-2022 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in

a case registered for the offences punishable under

Sections 30(a) of the Bihar Prohibition & Excise Act.

Learned counsel for the petitioner seeks

permission to withdraw the petition with regard to

petitioner No. 2 namely Sanjay Sahani.

Permission is accorded.

Accordingly, the petition with regard to



petitioner No. 2 is permitted to be withdrawn.

There is recovery of illicit country made and Indian made foreign liquor and other equipment for manufacturing the illicit liquor from a hut alleged to be owned by the petitioners.

It is submitted by learned counsel for the petitioner No. 1 that petitioner was not apprehended from the spot. Nothing has been recovered from the conscious possession of the petitioner. The liquor or the hut from where recovery has been made do not belong to the petitioner No. 1. A statement has been made in para 3 of the petition that petitioner No. 1 has no criminal antecedent.

In the facts and circumstance of the case, let the petitioner No. 1, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount



each to the satisfaction of learned Special Judge, Excise,
Muzaffarpur in connection with Saraiya P.S. Case No.
633 of 2020, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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