

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69573 of 2021

Arising Out of PS. Case No.-195 Year-2021 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. MUKHDEV SAHANI Son of Ram Nath Sahani Resident of Village-
Ajarwa, P.S.- Lakhaura, District- East Champaran.
 2. GANPAT SAHANI S/o Ganesh Sahani Resident of Village- Ajarwa, P.S.-
Lakhaura, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Pandey
For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-07-2022 At the outset, learned counsel for the petitioners submits that petitioner no. 1 namely Mukhdev Sahani has been arrested and as such, he seeks permission to withdraw this petition so far as petitioner no.1 is concerned.

Accordingly, in respect of petitioner no. 1 namely Mukhdev Sahani, this petition is dismissed as withdrawn.

Heard learned counsel for the parties.

The petitioner no. 2 namely Ganpat Sahani apprehends his arrest in a case registered for the offence under Sections 30(a), 32, 41(1) of Bihar Prohibition and Excise Act.

100 liters of country-made liquor has been recovered from a bamboo clump near Luk Baba Sthan and petitioner alongwith the co-accused are alleged to have fled away from the



place of recovery after seeing the police.

It is submitted on behalf of petitioner that nothing has been made from the conscious possession of this petitioner and petitioner has nothing to do with the alleged recovery. Petitioner alongwith with others have been named in this case by the chowkidar, who disclosed that this petitioner is involved in the trade of illicit liquor. Petitioner has got clean antecedent.

Considering the fact that no recovery has been made from the possession of petitioner no. 2 and he has got clean antecedent, let the above named petitioner no. 2, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge cum Special Judge, Excise, East Champaran, Motihari in connection with Mufassil (Lakhisarai) P.S. Case No. 195 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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