

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70170 of 2021**

Arising Out of PS. Case No.-294 Year-2021 Thana- KUDHNI District- Muzaffarpur

1. Dashrath Sahni @ Chhotu Sahni Son of Asharfi Sahni Resident of Village- Charkoriya, P.S.- Kudhani (Turki O.P.), District- Muzaffarpur.
2. Sonu Sahni Son of Mushafir Sahni @ Musafir Sahani Resident of Village- Charkoriya, P.S.- Kudhani (Turki O.P.), District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gaurav Kumar
For the Opposite Party/s : Mr.Umeshanand Pandit

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 14-07-2022 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 272, 273, 414 of the Indian Penal Code and

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

There is recovery of 155.438 litres of Indian

made foreign liquor from a car. The petitioners are

alleged to have fled away from the place of seizure.



Learned counsel for the petitioners seeks permission to withdraw the petition with regard to petitioner No. 2 namely Sonu Sahni since he has been arrested.

Permission is accorded.

Accordingly, the petition with regard to petitioner No. 2 is dismissed as withdrawn.

It is submitted by learned counsel for the petitioner that petitioner was not apprehended from the spot. Nothing has been recovered from the conscious possession of the petitioner. The seized car does not belong to the petitioner.

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



Act, Muzaffarpur in connection with Kudhani(Turki O.P)
P.S. Case No. 294 of 2021, subject to the conditions as
laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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