

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24253 of 2023

Arising Out of PS. Case No.-7 Year-2023 Thana- PATEPUR District- Vaishali

1. RAMVRIKSH SAHANI Son of late Bhola Sahani R/V- Bahuara, PS- Patepur, Dist-Vaishali
2. Ravindra Sahani son of Lakshmi Sahani R/V- Bahuara, PS- Patepur, Dist-Vaishali

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Sunil Kumar Singh, Advocate
For the Opposite Party : Mr.Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case
registered under Section-30(a)(c) of the Bihar Excise Act.

The prosecution case, in short, is that 105 litres wine is
recovered.

It has been submitted on behalf of the petitioners that
the petitioner No. 2 has got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the
petitioners . The names of the petitioners have transpired on the
basis of disclosure made by local Chowkidar. Except for this,
there is no other substantive evidence to suggest the implication



of the petitioners in this case. It is alleged that 105 liters wine is recovered by side of the river. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners had no knowledge regarding the alleged incident. There is no compliance of Section 100 Cr.P.C. Learned counsel for the petitioners has placed reliance upon the order dated 13-04-2022 passed by the Hon'ble Supreme Court in Cr. Appeal No. 626 of 2022 (Sweta Kumari versus State of Bihar.)

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, 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/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Patepur P.S. Case No. 7 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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