

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11023 of 2015

Arising Out of PS.Case No. -11 Year- 2014 Thana -GOVERNMENT OFFICIAL COMP. District-
WEST CHAMPARAN(BETTIAH)

1. Saroj Sahni Son of Sahdeo Sahni

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Nityanand(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 20-03-2015

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Excise Case No. 11 of 2014 registered for the offence punishable
under Section 47 A of the Excise Act.

The contention on behalf of the petitioner is that the
alleged raid is said to have taken place on 22.07.2014 but the
prosecution report was sent to Chief Judicial Magistrate on
22.08.2014 i.e. after one month of the alleged raid and there is no
explanation of the aforesaid delay.

Learned counsel appearing for the petitioner submits
that the aforesaid fact creates doubt about the genuineness of the
prosecution story.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bettiah, West Champaran in Excise Case No. 11 of 2014 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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