

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47715 of 2016

Arising Out of PS.Case No. -20 Year- 2009 Thana -GOVERNMENT OFFICIAL COMP. District-
JEHANABAD

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1. Santosh Sharma, Son of Satish Sharma, Resident of Village- Gorsar,
Police Station- Ghosi in the district of Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. M. Dayal, (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 21-11-2016 Heard Mr. Kumar in support of the application and

Mr. M. Dayal, APP for the State.

The case was lodged under Section 47A of the
Excise Act in the year 2009 vide Excise Case No. 20 of 2009.
Apprehending his arrest in connection therewith, the present
application has been lodged. Referring to the order-sheet of the
Court below, it is stated that only recently, the non-bailable
warrant was issued against the petitioner and hence the
apprehension.

It is stated that in the case at hand, the provisions of
the previous law (before Amendment) would be applicable
wherein, in the case of first offender, the punishment is minimum.
The petitioner, in view of that, deserves bail. It is stated that
petitioner has no antecedent of case of such identical nature.

In my view, the petitioner should surrender and pray for bail. The learned Court below will examine his case with reference to the provisions of law applicable in the case of the petitioner and pass appropriate orders in accordance with law.

The anticipatory bail is disposed of.

(Kishore Kumar Mandal, J)

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