

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15170 of 2016

Arising Out of PS.Case No. -35 Year- 2015 Thana -GOVERNMENT OFFICIAL COMP. District-
EASTCHAMPARAN(MOTIHARI)

1. Chandeshwar Sahani s/o Late Kedar Sahani r/o vill Maiwa P.S. Sugauli
Dist E. Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr. D.P.Tiwary(App)

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

2 22-04-2016

Heard both sides.

The petitioner apprehends his arrest in a case under
Section 47(a) of the Excise Act.

The allegation is that the petitioner was carrying 50
liters of country made liquor but on seeing the excise officials he
fled away after throwing the same.

It is submitted that nothing has been recovered from
the conscious possession of the petitioner and the petitioner has
got no criminal antecedent.

Considering the nature of allegation, I am not
inclined to enlarge the petitioner on anticipatory bail. Accordingly,
the same is rejected.

If the petitioner surrenders before the learned court below (learned CJM, East Champaran at Motihari in Excise case No. 35 of 2015) and prays for regular bail, learned court below shall consider the prayer for regular bail of the petitioner taking into consideration that petitioner was carrying small quantity of country made liquor and dispose of the bail petition, preferably, on the same day, if possible.

(Prabhat Kumar Jha, J)

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