

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21166 of 2016

Arising Out of PS.Case No. -46 Year- 2006 Thana -GOVERNMENT OFFICIAL COMP. District-
EAST CHAMPARAN (MOTIHARI)

Devendra Sahani, S/o Jamuna Sahani, R/o Vill Mehwa, P.S. Sugauli, Dist.
E. Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

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

For the Opposite Party/s : Mr. P.K. Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 21-07-2016

Heard both sides.

The petitioner apprehends his arrest in Excise Case
No. 46/2006 arising out of Tr. No. 721/15 under Section 47(a) of
the Excise Act.

The excise officials searched the hut of the petitioner
from where 30 litres of country made liquor was recovered. It is
submitted that the petitioner was neither the owner of the hut nor
the owner of the land. The petitioner is a home guard constable. It
appears that the case is of the year 2006 and the petitioner has
filed this anticipatory bail petition only after ten years of the
occurrence. It is submitted that the petitioner never received any
summons and, all of a sudden, warrant of arrest is issued against
him.

Considering the facts aforesaid and the fact that 30

litres of country made liquor is said to have been recovered from the hut of the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail in Excise Case No. 46/2006, arising out of Tr. No. 721/15. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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