

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39372 of 2016

Arising Out of PS.Case No. -127 Year- 2016 Thana -GORAUL District- VAISHALI(HAJIPUR)

1. Police Sahni son of Parmeshwar Sahni, resident of Village Kabilpura,
Police Station Goraul(karhara O.P.) District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar
For the Opposite Party/s : Mr. Sri Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 23-09-2016

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 47(a), 47(g), 54 of the Bihar Excise (amendment) Act, 2016.

From the house of the petitioner 51 bottles of country made liquor each containing 200 ML were recovered.

It is submitted by learned counsel for the petitioner that recovery has been made from the joint family house and even as per the new amendment, mere possession of liquor is not an offence. Even assuming the accusation no offence under Sections 47(g) and 54 of the Bihar Excise(Amendment) Act, 2016 is made out.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

The aforesaid facts constitute ground for consideration of prayer for bail of the petitioner, if the petitioner

surrenders within a period of six weeks in connection with Goraul P.S. Case No. 127 of 2016, pending in the Court of learned Sub-Divisional Judicial Magistrate, Vaishali at Hajipur.

With the observations above, the application stands disposed of.

(Dinesh Kumar Singh, J)

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