

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46551 of 2016

Arising Out of PS.Case No. -14 Year- 2015 Thana -GOVERNMENT OFFICIAL COMP. District-
SITAMARHI

=====

Nagendra Sahni S/o Muldhar Sahani Resident of Village-Mahindwara P.S.-
Runnisaidpur District-Sitamarhi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Adv.

For the Opposite Party/s : Mr. Iftekhar Mahmood, APP

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 01-12-2016 Heard both sides.

The petitioner apprehends his arrest in Case No. C2-14/2015, registered for the offences punishable under Section 47(A) of the Excise Act.

On secret information, the complainant raided the house of the petitioner and 09 litres of country-made liquor and 120 litres of semi-manufactured country-made liquor made of *Gur* were recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that search and seizure was made in contravention of Section 100 Cr.P.C. No copy of the seizure-list was served upon him or any family members of the petitioner. Small quantity of country-made liquor



is recovered.

Considering the facts aforesaid and the fact that 09 litres of country-made liquor and 120 litres of semi-manufactured country-made liquor were recovered from the house of the petitioner, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below, learned court below shall consider prayer for regular bail of the petitioner taking into consideration that very small quantity of country-made liquor is recovered from the house of the petitioner and dispose of the bail petition preferably on the same day.

(Prabhat Kumar Jha, J.)

Vinita/-

U		T	
---	--	---	--

