

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14731 of 2016

Arising Out of PS.Case No. -36 Year- 2015 Thana -GOVERNMENT OFFICIAL COMP. District-
EASTCHAMPARAN(MOTIHARI)

1. Ram Naresh Sahani S/o Late Badari Sahani r/o vill.- Maiwa, P.S.
Sugauli, Distt. 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.Tiwari(App)

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

2 29-04-2016 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Excise Case No. 36 of 2015, disclosing offence
under Section 47 (a) of the Excise Act.

It is alleged that the Officials of the Excise
Department found someone carrying country liquor in a
rubber tube. Upon seeing the Police, he dropped the gunny
bag containing the said rubber tube and fled away. The
Police seized the said country liquor and upon enquiry, it
was found that it was the petitioner who was carrying the
country liquor.

Learned Counsel appearing on behalf of the
petitioner has submitted that the petitioner has no criminal

antecedent and he has been implicated merely on the basis of suspicion.

Considering the fact that the petitioner has no criminal antecedent and the attending facts and circumstances of the present case, this application is allowed.

Let the petitioner, Ram Naresh Sahani, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Excise Case No. 36 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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