

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40356 of 2017

Arising Out of PS.Case No. -81 Year- 2017 Thana -DUMRIAGHAT District-
EASTCHAMPARAN(MOTIHARI)

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Sanjay Sah, Son of Madan Sah, Resident of Village- Hussaini Kasba Tola,
P.S.- Dumariyaghat, District- East Champaran at Motihari.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajan, Advocate.

For the Opposite Party/s : Mr. Ram Anurag Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

9 13-11-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Dumariyaghat**
P.S. Case No. 81 of 2017 instituted for the offence under Section
30(a) of Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner has submitted that
there is no recovery from his conscious possession. He has clean
antecedent.

It is mentioned in the seizure list that total 10 bottles
each containing 180 ml. Wishky have been recovered from the
house of the petitioner but the seizure list does not bear signature
either of this petitioner or any of his family members.

Considering the facts and circumstances of the case,
prayer for anticipatory bail of the petitioner is allowed. In the



event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Dumariyaghat P.S. Case No. 81 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Special Judge, Motihari**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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