

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7215 of 2017

Arising Out of PS.Case No. -274 Year- 2015 Thana -MOTIPUR District- MUZAFFARPUR

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Pankaj Sahani Son of Shivaji Sahani, Resident of Village- Mahwal, P.S.-
Motipur, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Sri Mukesh Kumar Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-03-2017 Heard learned counsel for the petitioner and the State.

Petitioner is languishing in judicial custody since
05.01.2017 in connection with Motipur P.S. Case No. 274 of
2015 for offence alleged under Sections 47(A) of the Excise Act.

The prosecution case is that during State Assembly
Election tea shops of the petitioner and one other co-accused
Jagarnath Mahto were raided and from the tea shop of the
petitioner 35 litres of unripe spirit was recovered accordingly, a
seizure list has been prepared.

It has been submitted by the learned counsel for the
petitioner that nothing has been recovered from the conscious
possession of the petitioner. He bears no criminal antecedent and
the other co-accused Jagarnath Mahto from whose tea shop 70
liters of unripe spirit has been recovered has since been granted



the privilege of anticipatory bail by a coordinate Bench of this Court.

However, learned A.P.P. for the State submits that petitioner is named in the FIR, hence, opposes the prayer for bail.

Be that as it may, considering the facts and circumstances of the case and from materials available on record, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, West Muzaffarpur in connection with Motipur P.S. Case No. 274 of 2015.

(Nilu Agrawal, J)

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