

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56605 of 2017

Arising Out of PS.Case No. -11 Year- 2017 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

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Shambhu Sahani @ Shambhu Sahni S/o Lalayes Sahani, R/o Village-
Sirauli, P.S.- Madhubani, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 30-11-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Madhuban P.S.
Case No. 11 of 2017 instituted for the offence under Sections 30,
36,38 of Bihar Prohibition and Excise Act 2016.

It has been submitted by the learned counsel for the
petitioner that there is no recovery from his conscious possession.
The recovery of liquor is said to have taken place from the
premises of co-accused Raj Kishore Sahani. He disclosed before
the police after arrest that he prepare country made liquor with the
help of the petitioner. It is mentioned in para 6 of the petition that
petitioner has clean antecedent.

In such circumstances, prayer for anticipatory bail is
allowed and it is ordered that the petitioner, named above, in the



event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Madhuban P.S. Case No. 11 of 2017 to the satisfaction of learned 7th Additional Sessions Judge cum Special Judge, Excise East Champaran, Motihari subject to condition as laid down u/S 438 (2) of the 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 bonds of the petitioner and (3) if the 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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