

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37516 of 2017

Arising Out of PS.Case No. -248 Year- 2016 Thana -HARLAKHI District- MADHUBANI

1. Birendra Sahni, son of Halkhori Sahni, Resident of Village-Bisaul, P.S.-
Harlakhi, District-Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Umeshnand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

8/ 13-11-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Harlakhi P.S.**

Case No.248 of 2016 instituted for the offence under Section(s)
272, 273 Indian Penal Code and Section 30-a of the Bihar
Prohibition & Excise Act, 2016.

Counsel for the petitioner has submitted that the
petitioner has not been arrested on the spot. His name has been
disclosed by the *Chaukidar*.

In the seizure list, it is mentioned that 1.25 litres
Nepali liquor was recovered from the house of Halkhori Sahani,
who is father of this petitioner.

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



event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Harlakhi P.S. Case No.248 of 2016**, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Sub-Divisional Judicial Magistrate, Benipatti**, 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.

JA/-

(Sanjay Priya, J)

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