

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38555 of 2017

Arising Out of PS.Case No. -214 Year- 2016 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Sanjay Sahani, son of Ram Janam Sahani, resident of village -
Sundarapur, Bhusaulwa Tola, Police Station - Kesariya, 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. Narendra Kumar Singh, APP

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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 **Kesariya P.S.**

Case No.214 of 2017 instituted for the offence under Section(s)
272, 273, 290 Indian Penal Code and 47-A of the Excise Act,
2016.

Counsel for the petitioner has submitted that there is
no recovery from the conscious possession of this petitioner.
Name of this petitioner has been disclosed by one Ravi Ranjan
Kumar, who was apprehended by the police.

In the seizure list, it is mentioned that recovery of
liquor was made from the maize field belonging to the father of
the petitioner kept near a *Bail* tree. There is no signature of either



of the petitioner's brother or his father on the seizure list.

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 **Kesariya P.S. Case No.214 of 2017**, 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 **Additional Chief Judicial Magistrate, XI, Motihari, East Champaran**, 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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