

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37588 of 2017

Arising Out of PS.Case No. -62 Year- 2017 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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1. Saroj Sahni, S/o late Sahdeo Sahni, R/o Jagdishpur Harika Tola P.S.
Jagdishpur, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, 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 **Majhaulia P.S.**

Case No.62 of 2017 instituted for the offence under Section(s)
Sections 30-A, 30-D of the Bihar Prohibition & Excise Act,
2016.

Counsel for the petitioner has submitted that name
of this petitioner has been taken by the villagers merely on
suspicion.

There is allegation in the written report that three
persons, namely, Om Prakash Yadav, Ajay Yadav, Surendra
Yadav had brought raw spirit from this petitioner and they were
hiding the same in the maize field. Seizure list is enclosed with
the First Information Report from which also it appears that there



is no recovery from the possession 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 **Majhulia P.S. Case No.62 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 **Special Judge, Excise, Bettiah, West 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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