

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.154 of 2017

Arising Out of PS.Case No. -318 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Basant Sah Son of Ram Kishun sah, Resident of Village- Mathiya Zirat,
P.S.- Chhatauni, District- East Champarn

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 16-01-2017 Heard learned counsel for the petitioner and

learned counsel for the State.

Petitioner apprehends his arrest in connection with

Excise Case No. 318 of 2016 registered under Section 30(a) of

the Bihar Excise Amendment Act.

It is alleged that during course of patrolling some

persons were seen assembled at hut, and on seeking the police

party they fled away. On search, 20 liters Toddy, five empty

glasses and Rs. 4500/- were recovered from the shop of the

petitioner.

Learned counsel for the petitioner submits that

petitioner, who is a vegetable seller, was selling vegetables and

some persons were drinking Toddy in vegetable market, and at



the instance of some hidden enemies his name has been dragged in this case. It is further submitted that remissions have been granted under section 19 of the Bihar Prohibition and Excise Act, 2016. Petitioner has clean antecedent.

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender within a period of four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Motihari, East Champaran, in connection with Excise Case No. 318 of 2016 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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