

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 2139 of 2017

Arising out of P.S. Case No. - 275 Year - 2016 Thana - BANIAPUR District - SARAN

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Kanhaiya Sah @ Kanhaisa Sah, Son of Sukan Sah @ Sukhal Sah, Resident
of Village - Dhobwal, P.S. - Baniyapur, District - Saran at Chapra

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party : Mr. Sanjay Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 02-03-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Section 47 of the Bihar
Amended Excise Act, 2016.

From the house of this petitioner, which was hired to
co-accused Dhurendra Sah, foreign liquors was recovered by the
authorities on 28.09.2016.

Submission of the petitioner is that, in fact, there was
no recovery from the petitioner, rather possession of foreign liquor
was not an offence on the alleged date of recovery.

Let the petitioner, above named, in the event of his
arrest or surrender before the Court below within a period of thirty
days from the date of receipt of the order, be released on bail on



furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Saran at Chapra/Successor Court in connection with Baniyapur Police Station Case No. 275 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Birendra Kumar, J)

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