

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3081 of 2017

Arising Out of PS.Case No. -1 Year- 2015 Thana -GOVERNMENT OFFICIAL COMP. District-
KATIHAR

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Md. Suleman, Son of late Latif, Resident of Village Pagal Bari
(Manoharpur), P.S. Manihari, District Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Advocate.

For the Opposite Party/s : Smt. Anita Kumari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 30-01-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks anticipatory bail in a case
instituted for the offence under Sections 47(A), 13 of the Excise
Act and Sections 2(c), 3, 5(3) and 18 of Mahua Flower Rules.

It is alleged in the prosecution report that 1200 kg of
Mahua flower and 20 liters of country made liquor was recovered
from the place of occurrence.

It has been submitted that articles were shown to have
been seized from place of occurrence.

It has been submitted on behalf of the petitioner that
keeping of Mahua flower will be punishable under the Excise Act
and the maximum punishment provided is three months for the
first offender. Moreover, from the prosecution report, it appears



that the same has not been recovered from the conscious possession of the petitioner.

The informant has stated that these articles were seized from the place of occurrence which has been described in next page of column 3 of the seizure list.

Considering the facts and circumstances of the case, let the petitioner above named in the event of surrender within six weeks from the date of receipt of this order, in connection with C.I. Case No. 1 of 2015, shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Katihar, subject to the conditions as laid down under Section 438 (2) Cr. P.C.

S.Ali/-

(Sanjay Priya, J)

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