

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11915 of 2018

Arising Out of PS.Case No. -177 Year- 2017 Thana -SIDHWALIA District- GOPALGANJ

=====

Krishna Sah, Son of Late Motilal Sah, Resident of Village- Bishunpura
(Bangla), Police Station- Sidhwalia, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Rajesh Kumar

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-02-2018 Heard the learned counsel for the petitioner and the

learned counsel for the State.

The petitioner seeks anticipatory bail in connection
with Sidhwalia PS case no. 177 of 2017 registered for the offences
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act.

The allegation is regarding recovery of 43.545 liters of
illicit liquor from a field situated at the back side of the house of
the petitioner.

The learned counsel for the petitioner submits that
neither any recovery has been made from the conscious possession
of the petitioner nor the said field from where the illicit liquor has
been recovered, belongs to the petitioner and the petitioner is



having a fair antecedent.

Considering the nature of accusation levelled against the petitioner herein as also the fact that prima facie no case is made out under the provisions of the Excise Act, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender before the concerned court within a period of six weeks from the date of receipt/production of a copy of the present order, the petitioner above named is directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge II -cum- Special Judge, Gopalganj in connection with Sidhwalia PS case no. 177 of 2017, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

BTiwary/-

U		T	
---	--	---	--

