

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3606 of 2018

Arising Out of PS.Case No. -159 Year- 2017 Thana -BASOPATTI District- MADHUBANI

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1. Chalitar Sahani, Son of Parmeshwer Sahani @ Bhulka Sahani Resident of
Village-Bundel kKhand P.S. Basopatti District-Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Sri Manish Kumar 2

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-02-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with
Basopatti P.s.Case No.159 of 2017 , registered for offences
punishable under Sections 272 and 273 of the Indian Penal Code
and Section 30 (a) of the Bihar Prohibition and Excise Act.

Allegation against the petitioner is about recovery of 27 ltrs.
of liquor from cow-shade of the petitioner.

Submission of the learned counsel for the petitioner is that it
is an open house as such it can not be said that the recovery of
seized articles is from the conscious possession of the petitioner as
well as the petitioner has no criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and



circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of Oder, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-II-cum-Special Judge Excise Act, Madhubani in connection with Basopatti P.S.Case No.159 of 2017 dated 22.8.2017, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the police, otherwise, the prosecution is free to move for cancellation of his bail bond.

(Vinod Kumar Sinha, J)

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