

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10447 of 2018

Arising Out of PS.Case No. -6 Year- 2018 Thana -JANDAHA District- VAISHALI(HAJIPUR)

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Dhaneshwar Sahni S/o Late Bihari Lal Sahni, R/o Villae- Hasanpur
(Bujurg), P.S.- Jandaha, Distt.- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nityanand

For the Opposite Party/s : Mr. Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-02-2018

Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Jandaha P.S. Case No.6 of 2018 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 9 litres of illicit liquor from a bag.

The learned counsel for the petitioner submits that neither any recovery has been effected from the person of the petitioner nor the bag belongs to him. It is further submitted that the provisions of Section 100 of the Cr.P.C. has not been complied with while preparing the seizure list, hence the entire



seizure list is itself vitiated.

Considering the nature of accusation and the fact that, prima facie, no case is made out for the offences punishable under the Excise Act, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-II-cum-Special Judge, Excise, Hajipur in connection with Jandaha P.S. Case No.6 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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