

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10008 of 2018

Arising Out of PS. Case No.-91 Year-2017 Thana- MANIHARI District- Muzaffarpur

Sakindra Sah S/o Ramshreshtha Sah, R/o Village- Pakahi, P.S.- Maniyari,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand

For the Opposite Party/s : Mr. MD. ARIF

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 Maniyari P.S. Case No. 91 of 2017 registered for the offence punishable under Section 272 and 273 of the Indian Penal Code and Section 37(b) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 12.40 litres of illicit liquor from the house of the petitioner.

The learned counsel for the petitioner submits that the petitioner is having a clean antecedent and in fact no recovery has been made from his person. It is further submitted that the provisions of Section 100 Cr.P.C. has not been followed while preparing the seizure list.



Considering the nature of accusation and 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, 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 learned 3rd Additional Sessions Judge-cum-Special Judge, Excise, Muzaffarpur in connection with Maniyari P.S. Case No. 91 of 2017 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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