

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11429 of 2018

Arising Out of PS. Case No.-242 Year-2017 Thana- BAHERI District- Darbhanga

Sachin Sah @ Sachin Kumar Sah

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha
For the Opposite Party/s : Mr. SRI ABHAY KUMAR - 1

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-03-2018 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 Baheri P.S. Case No. 242 of 2017 registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 18 litres of illicit wine from the straw hut of the petitioner herein.

The learned counsel for the petitioner submits that the fact is that no recovery has been made from the conscious possession of the petitioner. It is submitted that the wife was also an accused in the present case, however, she has been granted bail. The petitioner is said to be having a clean



antecedent.

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 her 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 Additional Sessions Judge-VI-cum-Special Judge, Darbhanga in connection with Baheri P.S. Case No. 242 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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