

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4433 of 2018

Arising Out of PS.Case No. -267 Year- 2017 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

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Sonelal Sahani S/o Bula Sahani, R/o Village- Paithaniya, P.S.- Chakiya,
District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-01-2018 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 Chakiya P.S. Case No. 267 of 2017 registered for the offence punishable under Sections 272, 273 and 290 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 1.5 liters of illicit liquor from 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 herein nor the recovery has been made from within the house premises of the petitioner, hence the petitioner has been falsely roped in the present case. It is further submitted



that no case appears to have been made out under the provisions of the Excise Act.

Having regard to the facts and circumstances of the case, more particularly 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 7th Additional Sessions Judge, Motihari, East Champaran in connection with Chakiya P.S. Case No. 267 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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