

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.11929 of 2018**

Arising Out of PS.Case No. -271 Year- 2017 Thana -ROSERA District- SAMASTIPUR

=====

Shree Ram Sahni @ Shri Ram Sahni, Son of Late Raj Kumar Sahni,  
Resident of Village- Rahuua, Rosera, Police Station- Rosera, District-  
Samastipur.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Anand Kishore Choudhary

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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 counsel for the State.

The petitioner seeks anticipatory bail in connection  
with Rosera PS case no. 271 of 2017 registered for the offences  
punishable under Sections 30(a), 38(i) (ii) and 47 of the Bihar  
Prohibition and Excise Act.

The allegation is regarding recovery of 31.1 liters of  
illicit liquor from two abandoned motorcycles.

The learned counsel for the petitioner submits that  
neither any recovery has been made from the conscious possession  
of the petitioner herein nor the said motorcycles belong to the  
petitioner. It is further submitted that there is no compliance of  
Section 100 Cr. P.C.



Considering the nature of accusation levelled against the petitioner herein as also 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.

Accordingly, in the event of arrest or surrender before the concerned court within a period of six weeks from the date of receipt/production of a copy of the present order, the petitioner above named is directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 6<sup>th</sup>, Samastipur in connection with Rosera PS case no. 271 of 2017, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

**(Mohit Kumar Shah, J)**

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