

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10976 of 2018

Arising Out of PS.Case No. -120 Year- 2017 Thana -AURAI District- MUZAFFARPUR

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Munna Sahni @ Amarjit Sahani, S/o Ram Ekbal Sahani, Resident of
Village- Bedaul, P.S.- Aurai, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

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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 Aurai P.S. Case No. 120 of 2017 registered for the offences
punishable under Sections 30(a), 35(a) and 38 of the Bihar
Prohibition and Excise Act.

The allegation is regarding recovery of 35.58 liters of
illicit liquor from a pick up van.

The learned counsel for the petitioner submits that
neither any recovery has been effected from the person of the
petitioner nor the said vehicle belongs to the petitioner, however,
the petitioner has been falsely implicated upon disclosure of his
name by the co-accused person, who was apprehended from the



spot and the petitioner is having a clean antecedent.

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 Special Judge, Excise Act, Muzaffarpur in connection with Aurai Case No. 120 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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