

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10283 of 2018

Arising Out of PS. Case No.-204 Year-2017 Thana- KALYANPUR District- Samastipur

Bhulla Sahni S/o Suresh Sahni, R/o Village- Malipur, P.S.- Kalyanpur, Distt.-
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad
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 Kalyanpur P.S. Case No. 204 of 2017 registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Sections 38, 47 and 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 8.64 litres of illicit liquor from Mahindra Quanto vehicle.

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. It is further submitted that barring one case in which the petitioner is on bail, the petitioner is having a fair 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 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 Additional Session's Judge-6th-cum-Special Judge, Excise Act, Samastipur in connection with Kalyanpur P.S. Case No. 204 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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