

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75180 of 2018

Arising Out of PS. Case No.-242 Year-2018 Thana- CHHATAUNI District- East Champaran

Chandrika Sah, Son of Late Harihar Sah, Resident of Village- Bada
Bariyarpur, P.S.- Chhatauni, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 30(a), of the Bihar Prohibition and Excise Act, 2016.

The prosecution case as per the written report of Ashok Kumar Singh, being the S.I., Chhatauni P.S., submitted to the S.H.O., Chhatauni P.S., is to the effect that on a secret information, during patrolling, 15 liters of country made liquor has been recovered from the hutment of the petitioner and one person was apprehended from the scene, who disclosed his



name as Durga Sah. It is further alleged that the apprehended person disclosed the name of the petitioner who used to bring the liquor at the hutment.

It is submitted by the learned counsel for the petitioner that the hutment could not be treated as a residential house of the petitioner, since it has no door. It is further submitted that the petitioner was not present at the place of seizure. A statement has been made in paragraph no.3 of the petitioner that the petitioner is not having any criminal antecedent.

It is submitted by the learned APP for the State that the hutment belongs to the petitioner.

Considering the fact that at the time of seizure the petitioner was not present there, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below with a period of 12 weeks from today, on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like each to the satisfaction of learned **7th Additional Sessions Judge-cum-Special Judge, Excise, Motihari, East Champaran**, in connection with **Chhatauni**



P.S. Case No.242 of 2018, subject to the condition as laid down
under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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