

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34210 of 2019

Arising Out of PS. Case No.-453 Year-2018 Thana- CHIRAIYA District- East Champaran

LAGGI SAHANI, aged about 30 years, Male, Son of Chandradev Sahani
Resident of Village - Akauna, P.S.- Chiraiya, District- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Umesh Chandra Verma, Advocate

For the Opposite Party : Mr.Parmanand Prasad, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-05-2019 Heard learned counsel for the petitioner as well as
learned counsel for the State.

Petitioner apprehends arrest in a case registered for
the offences punishable under Section 30(a)(d) of the Bihar
Excise Amendment Act, 2016.

There is allegation of recovery of 3.24 liters of
country made liquor from the shop of the petitioner.

Learned counsel for the petitioner seriously disputes
the search and seizure which has not been conducted as per the
mandatory provisions under section 100 of the Cr.P.C. He
submits that the shop in question does not belong to the
petitioner. Petitioner has no criminal antecedent.

Considering the facts of the case, let the petitioner,
above named, in the event of arrest/surrender before the Court



below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Special Excise Judge, Motihari, East Champaran/ Court in seisin of Chiraiya Police Station Case No. 453 of 2018, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully co-operate with the investigation and trial of the case, failing which the Court below shall be at liberty to cancel the bail bond of the petitioner.

(Prabhat Kumar Singh, J)

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