

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44050 of 2019

Arising Out of PS. Case No.-40 Year-2014 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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Badri Sahani, aged about 41 years (Male), son of Late Ramsewak Sahani,
Resident of Village-Muswa Bheriyari @ Muswa Bhediya, P.S-Sugauli,
District-East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2
For the Opposite Party/s : Mr.Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 25-07-2019 Heard learned counsel for the petitioner and

learned counsel for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Excise P.S. Case No.40 of 2014,
registered for the offence under Sections 47(a) and 47(F) of the
Bihar Excise Act.

On secret information the Police has recovered
about 600 liters of half made liquor and the present petitioner
has managed to escape from there. The said half made liquor
was destroyed by the Police party.

Learned counsel for the petitioner submits that there is
no averment in the F.I.R. that from where the said liquor has
been recovered. He further submits that the petitioner has not
come to this Court on the fact that he has no knowledge about
the case and when he could know about the institution of the



present case, he moved this Court for bail.

Learned counsel for the petitioner also submits that the petitioner has no criminal antecedent.

Looking to the entire facts and circumstances of the case, let the above-named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the A.D.J. 9th-cum- Special Judge, Excise, East Champaran, Motihari, in connection with Excise P.S. Case no.40 of 2014, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

However, at the time of accepting bail bonds, the court below would verify and assure itself regarding the criminal antecedent of the petitioner. If he is having clean antecedent, then his bail bond would be accepted. If he is found to be involved in any other case before filing of this application i.e. 16.07.2019 then his bail bond would not be accepted.

(Shivaji Pandey, J)

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