

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7008 of 2020

Arising Out of PS. Case No.-838 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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EKSAN SAHANI @ AJAY SAHANI Son of Varun Sahani Resident of
Village - Jhakhiya, P.S.- Banjariya, Distt - 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.Bishweshwar Ram

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 10-06-2020 Heard Mr. Dhananjay Kumar No. 2, learned

counsel for the petitioner and Mr. Bishweshwar Ram, learned

APP for the State.

The petitioner seeks bail in anticipation of his arrest

in connection with Excise Case No. 838 of 2019 instituted

for the offences under Section 30(a), 36, 41(i) of the Bihar

Prohibition and Excise Act, 2016.

Approximately 135 litres of liquor is said to have

been recovered from the house of one Raja Kumar.

Aforesaid Raja Kumar has named six persons including

petitioner. This is the only basis for prosecuting the

petitioner in the present case.



It has been submitted by the learned counsel for the petitioner that one of the accused persons, who has also been named by the said Raja Kumar, has been granted anticipatory bail by a Bench of this Court. Petitioner is stated to be a person of clean antecedent. Thus, it has been urged that no offence under any one of the provisions of Excise Act can be said to have been made out against the petitioner.

Considering the aforesaid aspects of the matter, the petitioner, above named, is directed to be released in the event of his arrest or surrender before the court below within 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 A.D.J.-IX-cum-Special Judge Excise, East Champaran, Motihari in connection with Excise Case No. 838 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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