

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7899 of 2015

Arising Out of PS.Case No. -356 Year- 2014 Thana -BUXAR District- BUXAR

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1. Guddu Sah @ Guddu Prasad Sah son of Late Thakur Sah
..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganga Prasad Bimal

For the Opposite Party/s : Mr. Bharat Lal (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 02-03-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Buxar Town P.S. Case No. 356 of 2014 registered for the offences
punishable under Sections 272 of the Indian Penal Code and 47 A
of the Excise Act.

Learned counsel appearing for the petitioner drew my
attention towards Annexure-2 to this petition and submits that
petitioner was a bona fide licensee for retail sale of foreign liquor
but the Assistant Sub Inspector of Police raided the shop of the
petitioner and seized entire stock of shop of the petitioner illegally,
particularly, in the circumstance, when the Assistant Sub Inspector
of Police had got no authority to make raid and seize the stock of
shop of the petitioner

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Buxar in Buxar Town P.S. Case No. 356 of 2014 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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