

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8147 of 2016

Arising Out of PS.Case No. -270 Year- 2015 Thana -MOTIPUR District- MUZAFFARPUR

Vinod Rai son of Jagdish Rai, resident of village Jhingha, P.S. Motipur,
District Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nitu Kumari, Advocate

For the Opposite Party/s : Mr. Kr. Ranjit Ranjan(APP)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 11-05-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner apprehends his arrest in connection with
Motipur P.S. Case No. 270 of 2015 registered for offences
punishable under Section 47(A) of the Excise Act.

The prosecution case is that on secret information,
informant raided the shop of the petitioner and recovered 25
bottles, each of 180 ML, which is equivalent to 4.5 litres and 200
pieces of plastic bottles, each of 200 ML, which is equivalent to
40 litres and prepared a seizure list.

It has been submitted by the counsel for the petitioner
that no recovery has been made from the possession of the
petitioner. Petitioner has no criminal antecedent and being the first
offender, he deserves grant of anticipatory bail. Learned counsel

further submits that the co-accused has been granted anticipatory bail by a Coordinate Bench of this Court in Cr. Misc. No. 13357 of 2016 on 01.04.2016.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since the petitioner is first offender, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate (West), Muzaffarpur in connection with Motipur P.S. Case No. 270 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Nilu Agrawal, J.)

Arjun/-

U		T	
---	--	---	--