

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24882 of 2016

Arising Out of PS.Case No. -297 Year- 2016 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

1. Ram Wakil Pandey @ Ram Vakil Pandey, son of Late Parsuram Pandey, resident of Village: Nadaul, P.S: Natwar, District: Rohtas, presently posted as District Manager, Bihar State Food Corporation, Motihari, presently residing at C/o Capt. Pushkar Jha, Mohalla: Belbanwa, P.S: Motihari, District: East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Sinha

For the Opposite Party/s : Mr. Anil Kumar(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 16-06-2016 Supplementary affidavit is filed on behalf of the
petitioner.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

At the very outset, it is submitted that due to clerical
error in para-3 the antecedent of the petitioner could not be
mentioned but by filing supplementary affidavit, the antecedent of
the petitioner has already been brought on record.

Petitioner apprehends his arrest in connection with
Motihari Town P.S. Case No. 297 of 2016 registered for the
offences punishable under Section 47 A of Bihar Excise Amended

Act on the accusation that four bottles of Indian made foreign liquor were recovered from his residential house.

The State Government by amending the Excise Act has made the trade and consumption of Indian made foreign liquor an offence but mere possession of Indian made foreign liquor does not constitute any offence.

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 Chief Judicial Magistrate, East Champaran, Motihari in Motihari Town P.S. Case No. 297 of 2016 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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