

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 38280 of 2016

Arising Out of PS.Case No. -121 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
MUZAFFARPUR

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Pravesh Kumar S/o late Suresh Prasad Singh Resident of Village- Najirpur,
P.S. Ahiyapur, District Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mahendra Thakur

For the Opposite Party/s : Mr. Ramchandra Singh

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 17-09-2016 Heard Sri Mahendra Thakur, learned counsel for the
petitioner and Sri Ramchandra Singh, learned Addl. Public
Prosecutor.

The sole petitioner, apprehending his arrest in C
(Excise) Case No. 121 of 2016 registered for offence under
Section 47(A) and 54 of Bihar Excise Act, has prayed for grant of
anticipatory bail. In the prosecution report, nothing has been
indicated as to whether offence is in relation to commission of
offence under the old Excise Act or amended Excise Act of 2016.

Learned counsel for the petitioner submits that the
petitioner has been made accused on false accusation of recovery
of about 7.770 litre of foreign liquor from the house of the
petitioner, whereas, at the relevant time, the petitioner was sitting

in his shop, which is far away from his house.

Sri Ramchandra Singh, learned Addl. Public Prosecutor has vehemently opposed the prayer for grant of anticipatory bail. He submits that allegation against the petitioner is serious in nature and he may not be extended the privilege of anticipatory bail.

In view of the fact that in the prosecution report, entire provision has not been mentioned as well as nature of accusation, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Pravesh Kumar be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with C (Excise) Case No. 121 of 2016, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

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