

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35826 of 2016

Arising Out of PS.Case No. -80 Year- 2016 Thana -RAMGARH District- BHABHUA (KAIMUR)

=====

1. SHRI BELASH RAM son of Late Ram Narain Ram resident of Village-
Gaijdara P.S. Rajpur District- Buxar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh

For the Opposite Party/s : Mr. Sakir Ahmad

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-09-2016 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 47(a) of the Excise Act and sections 50,51 and 63 of the Bihar Excise (Amendment) Act, 2016.

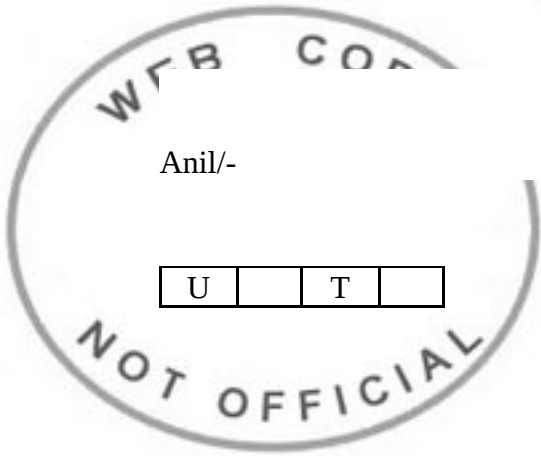
On receiving secret information that illicit Mahua liquor is being prepared at the brick-kiln of co accused Baghel Singh alias Satendra Singh, raid was laid. It was found that the petitioner was the Munsif of the brick-kiln and both the accused persons escaped from the scene but the raid led to recovery of 9 liters of Mahua liquor.

It is submitted by the learned counsel for the

petitioner that there is nothing on record that the petitioner was Munsif of the brick-kiln and the recovery was not made from the possession of the petitioner. It is further submitted that co accused Baghel Singh has been granted anticipatory bail by a co-ordinate bench of this court vide Cr. Misc. No. 33301 of 2016 on the ground that he is not the owner of the brick-kiln. Even assuming the accusation no offences under sections 50,51 and 63 of the Bihar Excise (Amendment) Act, 2016 are made out.

In view of the fact that there is nothing in the FIR nor in the impugned order that the petitioner was actually the Munshi of the brick kiln, since co accused Baghel Singh the alleged owner of the brick kiln has been granted anticipatory bail and Statement made in paragraph 3 of the petition that the petitioner has no criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Kaimur at Bhabua in connection with Ramgarh (Nuaon) P.S. Case No.80 of 2016 subject to the conditions

as laid down under Section 438(2) Cr.P.C.



Anil/-

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

(Dinesh Kumar Singh, J)