

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3361 of 2016

Arising Out of PS.Case No. -112 Year- 2012 Thana -GOVERNMENT OFFICIAL COMP. District-
PATNA

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1. Chand Kishore Rai Son of Late Satya Rai, Resident of Village Hulasi
Tola, P.S. - Maner, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh

For the Opposite Party/s : Mr. R.N.Jha(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 21-01-2016

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)(f) of the Excise
Act.

The prosecution case is that 3480 liters of country made
liquor and 8200 kilograms of mixture for preparing country made
liquor were seized from the field of the petitioner.

It is submitted by the learned counsel for the petitioner
that the land from where the seizure was made does not belong to
the petitioner. Statement to the aforesaid effect has been made in
paragraph 7 of the petition which reads as follows:

“That the petitioner has no concern with the place of

occurrence and alleged seized illegal liquor.”

Considering the aforesaid facts, let the above named petitioner be released on provisional anticipatory bail for three months in the event of arrest or surrender before the learned Court below within a period of six 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 JM Ist Class, Danapur, Patna, in connection with Case No. 112 (C-2) of 2012. subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed if on verification it is found that the place of seizure does not belong to the petitioner but if the learned court below comes to a conclusion otherwise then the petitioner will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

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