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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32720 of 2016

Arising Out of PS.Case No. -169 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-MUZAFFARPUR

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Vikash Sah @ Vikash Kumar, Son of Sri Shivji Sah, resident of Maripur Chowk, P.S.- Kaji Mohammadpur, District - Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
Mr. Ravi Ranjan, Advocate
For the Opposite Party/s : Mr. Anuj Kumar Srivastava, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 12-08-2016 Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Muzaffarpur Excise Case No.169 of 2016, which was registered on 26.5.2016, for the offence under Section 47A of the Bihar Excise Amendment Act, 2016.

Learned counsel for the petitioner submits that for the same occurrence, two cases have been filed, namely, Excise Case No.169/16 and also Excise Case No.170/16. The occurrence is wholly for the same event, for which one person was taken into custody and Excise Case No.169/16 was registered and one Uday Shankar Dwivedi was arrested and forwarded to judicial custody. With regard to the said event,

again another case, bearing Excise Case No.170/16, was registered against the proprietor of a Tobacco Company, the present petitioner. Learned counsel for the petitioner submits that in the earlier case, namely Excise Case No.170 of 2016, the petitioner has already been extended the privilege of anticipatory bail and substance of allegation is being same, the petitioner may be extended the same benefit.

Having heard learned counsel for the petitioner and having perused the materials on record, it appears that the case filed subsequently is nothing but repetition of the present case.

In view of such facts, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of ₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur, in connection with Excise Case No.169 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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