

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12998 of 2017

Arising Out of PS.Case No. -3 Year- 2017 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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Munna Singh, son of Binay Singh, resident of Village-Ganesh Tola
Lakhaura, P.S.-Lakhaura, District-East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Shailendra Kumar -1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-03-2017

Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Muffasil
(Lakhaura) P.S. Case No. 3 of 2017 instituted for the offence
under Section (s) 30(a) of the Bihar Excise(Amendment) Act,
2016.

It has been submitted that petitioner has clean
antecedent. The name of the petitioner has come in the
confessional statement of co-accused Prabhu Sahani who was
apprehended on the spot. The alleged liquor has been recovered
from the vacant land of co-accused Banke Singh.

As per written report, the police got information
that this petitioner has kept illicit liquor on the vacant land of
Banke Singh. The police reached on the spot and seized illicit



liquor as mentioned in the written report. The police arrested Prabhu Sahani from the spot who disclosed the name of this petitioner. Similar facts have been mentioned in the impugned order passed by the learned Sessions Judge.

In this manner, the petitioner was not present on the spot. He was not named in the written report. There is no recovery from his possession and his name has been disclosed by co-accused Prabhu Sahani who was arrested on the spot.

Keeping in view the clean antecedent and no specific allegation against this petitioner, the prayer of the petitioner for anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, above named, within six weeks from today in connection with Muffasil(Lakhaura) P.S. Case No. 3 of 2017, G.R. Case No. 57 of 2017, he shall be released on anticipatory 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, Motihari, East Champaran, subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Sanjay Priya, J)

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