

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49211 of 2017

Arising Out of PS. Case No.-282 Year-2016 Thana- SUGAULI District- East Champaran

Shiv Narayan Pandit , son of Udit Sahani, resident of Village- Gorigawa,
P.S.- Sugauli, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Sri Madan Kumar

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 17-10-2017 Heard Sri Umesh Chandra Verma, learned counsel for the
petitioner and Sri Madan Kumar, learned Additional Public
Prosecutor.

The sole petitioner, apprehending his arrest in Sugauli
P.S. Case No. 282 of 2016 registered for the offence under
Section 30(a), 30 (d) of the Bihar Prohibition and Excise Act,
2016 has prayed for grant of bail in the event of his arrest or
surrender.

It was submitted by learned counsel for the petitioner that
on secret information the petitioner alongwith others was made
accused as if petitioner was indulged in dealing with liquor
and as such , search was conducted on the bank of a river from
where recovery of four drums and pipes were shown and it
was alleged as if petitioner and other accused persons were



indulged in preparation of illegal liquor. Learned counsel for the petitioner has also drawn my attention to an order dated 01.07.2017 passed in Cr. Misc. No. 24020 of 2017 (Annexure -'2') to the petition to show that at least two of the co-accused have already been granted privilege of anticipatory bail.

Considering the fact that in similar circumstances at least two co-accused have been extended the privilege of anticipatory bail, there is no reason to refuse the same privilege to the petitioner.

Accordingly, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner Shiv Narayan Pandit be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge / Special Judge, Motihari, East Champaran / concerned court in connection with Sugauli P.S. Case No. 282 of 2016 subject to the conditions as contemplated under Section 438 (2) of the Code of Criminal Procedure , 1973 .

(Rakesh Kumar, J)

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