

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6425 of 2017

Arising Out of PS.Case No. -19 Year- 2014 Thana -GOVERNMENT OFFICIAL COMP. District-
GAYA

=====

1. Surendra Mishra, Son of Late Ram Dhiraj Mishra, Resident of Village-
Kariya Panchapur, P.S.- Tekari, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Md. Arif

=====

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 20-02-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Gaya Excise Case No. 19 of 2014, disclosing offences
under Sections 47A of the Excise Act.

Accusation is of 600 liters of country-made wine
were recovered from the house of the petitioner.

Learned Counsel for the petitioner has submitted
that there is general and omnibus allegation against this
petitioner and no specific allegation is attributed to him. Nothing
has been recovered from the possession of petitioner. Merely on
the basis of suspicion, this petitioner has been implicated in this
case due to village politics. In fact, the alleged Gumti, from



where recovery has been made and seizure list has been prepared without following the due procedure of Section 100 Cr.P.C., does not belong to this petitioner. Moreover, co-accused, Ram Ratna Yadav, having more or less similar allegation, has also been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 35685 of 2016. Hence, the petitioner also deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1st Class, Gaya, in connection with Gaya Excise Police Station Case No. 19 of 2014, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

brajesh/-

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

