

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.52202 of 2016**

Arising Out of PS.Case No. -454 Year- 2016 Thana -PHULWARI District- PATNA

=====

1. Mukesh Kumar, Son of Anup Rai, Resident of Village- Gorla Dera,  
P.S.- Jaipur, District- Patna (Bihar).

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

3      09-02-2017                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case  
registered for the offences punishable under Sections 47/53 of the  
Bihar Excise (Amendment) Act, 2016.

Foreign liquor was recovered from an abandoned  
house on 15.08.2015 and the same is said to be of this petitioner.

Learned counsel for the petitioner submits that the  
possession of foreign liquor was not an offence on the alleged date  
of recovery. Moreover, the petitioner has got no criminal  
antecedent.

Considering the aforesaid facts, let the petitioner,  
above named, in the event of his arrest or surrender before the



Court below within a period of thirty days from the date of receipt of the order, 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 Judicial Magistrate, Patna/Successor Court in connection with Phulwari Sharif Police Station Case No.454 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Birendra Kumar, J)**

Mkr./-

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