

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54638 of 2016

Arising Out of PS.Case No. -191 Year- 2016 Thana -SAMASTIPUR MUFFASIL District-
SAMASTIPUR

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1. Sushil Kumar @ Bhola, Son of Janak Mahto, Resident of Village -
Keowas Nizamat, P.S. Samastipur Muffasil, District - Samastipur
.... Petitioner

Versus

1. The State of Bihar
.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pankaj Kumar, Adv.

For the Opposite Party : Mr. Ram Bachan Singh, APP 189

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL ORDER

3 10-02-2017 Heard the learned counsel for the petitioner and the
State.

This is a petition for grant of anticipatory bail for
offence under Sections 47, 54, 57 and 63 of the Bihar Excise
(Amendment) Act, 2016.

Foreign liquor was recovered from the house of this
petitioner on 28.07.2016.

Submission of the petitioner is that the possession of
foreign liquor was not an offence on the alleged date. There is no
allegation that foreign liquor was being consumed or was being
provided for consumption to any one.

Considering the aforesaid fact, the petitioner, above
named, in the event of his arrest or surrender, within four weeks
from the date of receipt of this order, be released on anticipatory
bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand)
with two sureties of the like amount each in connection with
Samastipur Muffasil P.S. Case No. 191 of 2016 to the
satisfaction of the **Subdivisional Judicial Magistrate,**
Samastipur, or successor Court, subject to the condition laid
down under Section 438(2) of the Criminal Procedure Code.

(Birendra Kumar, J)

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