

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5440 of 2017

Arising Out of PS.Case No. -94 Year- 2016 Thana -BEERPUR District- BEGUSARAI

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Suraj Kumar, Son of Late Yadu Mahton, Resident of Village- Maida Bhavangama, P.S.- Birpur, District- Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party : Mr. Parmeshwar Mehta (APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 16-02-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Birpur P.S. Case No. 94 of 2016 instituted for the offence under Sections 273 and 290 of the Indian Penal Code and Sections 47 and 53 of Bihar Excise (Amendment) Act, 2016.

It is alleged that foreign liquor has been seized from the house of this petitioner but seizure list does not bear the signature of this petitioner.

It has been submitted by the State that no anticipatory bail has been maintainable after the amendment of Bihar Excise Act.

From the written report, this court finds that



petitioner was not caught on the spot. The seizure list is enclosed with the written report. It is mentioned in para-3 that petitioner has clean antecedent. In the circumstances, prayer of the petitioner for anticipatory bail is allowed.

In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Birpur P.S. Case No. 94 of 2016, 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 Judicial Magistrate-1st Class, Begusarai, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Sanjay Priya, J.)

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