

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20409 of 2017

Arising Out of PS.Case No. -237 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
VAISHALI(HAJIPUR)

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Babu Lal Mahto S/o Chulhai Mahto Resident of Village - Chiknauta, P.S. -
Baligaon, District - Vaishali.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha

For the Opposite Party/s : Mr. Sri Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 12-06-2017 Heard learned counsel for the petitioner and the
learned APP appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Complaint Case No. C 2 A – 237/16, giving rise to Trial
No.901/17, registered under Sections 47-A/54 of the Excise Act.

Allegation in brief is that excise officials recovered
four bottles of Imperial Blue foreign liquor each containing 180
ml. from back side of the house of the petitioner.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case and foreign
liquor was not recovered from his conscious possession. This case
was lodged on 12.09.2016 prior to the Amended Act came into
force on 02.10.2016 in which the anticipatory bail is not
maintainable. The petitioner has got no criminal antecedent.



Having considered the said facts and circumstances, in the event of arrest/surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioner, named above, 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 the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Complaint Case No. C 2 A – 237/16, giving rise to Trial No.901/17, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Arun Kumar, J.)

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