

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 23294 of 2017

Arising Out of PS.Case No. -63 Year- 2017 Thana -TAJPUR District- SAMASTIPUR

=====

Akhilesh Mishra @ Akhilesh Kumar Mishra, Son of Srikant Mishra,
resident of Village- Gangapur, P.S.- Tajpur (Waini O.P.), District-
Samastipur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar

For the Opposite Party/s : Smt. Meena Singh, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 10-08-2017 Heard Sri Ranjan Kumar, learned counsel for the
petitioner and Smt. Meena Singh, learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Tajpur
(Waini OP) P.S. Case No. 63 of 2017 registered for offence under
Sections 272, 273 of the Indian Penal Code, Section 47(A)/57 of
Bihar Excise Amendment Act, 2016 and Sections
30(A)/38(i)(ii)/47 of the Bihar Prohibition and Excise Act, 2016,
has prayed for grant of anticipatory bail.

It was submitted by learned counsel for the petitioner
that a raid was conducted in the house of one Lal Bahadur Rai,
from where, huge quantity of Indian-make foreign liquor was
recovered and petitioner was shown as accused, who fled away
after seeing the police. He submits that nothing was recovered
from conscious position of the petitioner, nor anything was



recovered from the premises of the petitioner and petitioner is having clean antecedent, which fact has been stated in paragraph – 3 of the petition.

Learned Addl. Public Prosecutor has opposed the prayer for grant of bail on the basis of certain facts disclosed in the case diary, which was earlier summoned.

However, considering the fact that nothing was recovered from the premises of the petitioner or from conscious possession of the petitioner, there is no reason to deny the prayer for anticipatory bail.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Akhilesh Mishra @ Akhilesh Kumar Mishra be enlarged 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 A.C.J.M. 1st, Samastipur in connection with Tajpur (Waini O.P.) P.S. Case No. 63 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

Anay

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

