

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4089 of 2018

Arising Out of PS.Case No. -160 Year- 2017 Thana -BUNIADGANJ District- GAYA

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Pintu Paswan S/o Dhahura Paswan @ Rambrikch Paswan, R/o Village-
Ushri Tola, Dumri, P.S.- Buniyadganj, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi

For the Opposite Party/s : Smt. Gulnar Begam

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-01-2018 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

This is an application for grant of anticipatory bail in
connection with Buniyadganj P.S. Case No. 160 of 2017
registered for the offence punishable under Section 30(a) of the
Bihar Excise & Prohibition Amendment Act, 2016.

The allegation is regarding recovery of 20 liters of illicit
liquor from an open field situated in the village of the petitioner
and the name of the petitioner has transpired upon secret
information received by the Police.

The learned counsel for the petitioner submits that
neither the said field belongs to the petitioner nor any recovery has
been made from the conscious possession of the petitioner. It is
further submitted that no case appears to have been made out



under the provisions of the Excise Act.

Having regard to the facts and circumstances of the case, more particularly the fact that prima facie no case is made out under the provisions of the Excise Act, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Gaya in connection with Buniyadganj P.S. Case No. 160 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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