

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9179 of 2018

Arising out of PS. Case No.-654 Year-2017 Thana- BODHGAYA District- Gaya

1.Ranjan Choudhary

2. Sanjay Choudhary

Both are son of Late Kishori Choudhary, resident of village-Newtardih
Bhagalpur, P.S. Bodh Gaya, District-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary

For the Opposite Party/s : Mr. MANOJ KUMAR - 1

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-02-2018 Heard the learned counsel for the petitioners and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in
connection with Bodh Gaya P.S. Case No. 654 of 2017
registered for the offence punishable under Section 30(a) and
30(d) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 15 litres each from
the house of the petitioner herein.

The learned counsel for the petitioners submits that the
recovery has not been effected from the person of the petitioners
herein and the petitioners are having a clean antecedent. It is
further submitted that the provisions of Section 100 Cr.P.C. has
not been followed while preparing the seizure list.



Considering the nature of accusation and 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 petitioners herein to the privilege of anticipatory bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Gaya in connection with Bodhgaya P.S. Case No. 654 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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