

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25085 of 2018

Arising Out of PS.Case No. -239 Year- 2017 Thana -KARAKAT District- SASARAM (ROHTAS)

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Sanjay Kumar Yadav @ Sanjay Yadav, Son of Shivji Singh, resident of
Village- Lewabad, Police Station- Karakat, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mrs. Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 26-04-2018 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks anticipatory bail in connection
with Karakat P.S. Case No. 239 of 2017 for the offences
punishable under Section 30(a) of Bihar Prohibition and Excise
Act, 2016.

Allegation is regarding recovery of 79.6 liter of illicit
liquor from chick farm of the co-accused person.

The learned counsel for the petitioner submits that
neither the chick farm belongs to the petitioner nor any recovery
has been made from conscious possession of the petitioner. It is
further submitted that the provisions of Section 100 of the Code of
Criminal Procedure has not been complied with, hence the seizure



itself is doubtful.

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 appropriate to admit the petitioner to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, the petitioner, above named, is directed to be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Assistant Sessions Judge 2nd cum Special Judge (Excise), Rohtas in connection with Karakat P.S. Case No.239 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Mohit Kumar Shah, J)

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