

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34723 of 2018

Arising Out of PS.Case No. -97 Year- 2018 Thana -GOVERNMENT OFFICIAL COMP. District-
MUZAFFARPUR

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1. Laxmi Kumar Yadav @ Laxmi Rai, Son of Sakal Dev Rai @ Sakal Dev Prasad Yadav, Resident of Village- Najirpur, P.S.- Ahiyapur, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 20-06-2018

Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Excise Case No. 97 of 2018, P.R. No. 11/18-19 disclosing offences under Sections 30(A) and 38 of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner has submitted that the petitioner, who is of clean antecedent, is innocent and has not committed any offence. In fact, the alleged recovery foreign liquor was made from the vehicle in question, which is evident from seizure list and the petitioner has no concern with the alleged recovery. Nothing has been recovered from the



conscious possession of the petitioner. Hence, the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, 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 learned A.D.J.-II –cum- Special Judge, Excise Act, Muzaffarpur, in connection with Excise Case No. 97 of 2018/P.R. No. 11/18-19, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J.)

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