

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74757 of 2018

Arising Out of PS. Case No.-277 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

Shivji Mukhiya Son of late Saryu Mukhiya Resident of Village- Bishanpur,
P.S. Rosera, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar
For the Opposite Party/s : Mr.Sri Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioner and learned
APP representing the State.

Petitioner is seeking anticipatory bail in connection with T.R.No.1108 of 2018, arising out of Excise Case No.277 of 2017, registered for the offences punishable under Sections 30(a), (d) and 38(1) of the Bihar Prohibition and Excise Act, 2016.

As per the First Information Report, allegation against the petitioner is that when the police raided the house of the petitioner some intoxicant articles were recovered and the petitioner had fled away on seeing the police party.

Learned counsel for the petitioner submits that the alleged recovery or seizure of the intoxicant or liquor is not



from the residence of the petitioner or any other place belonging to the petitioner. The allegation is that on seeing the police party the petitioner had fled away. However it is a case of false implication. It is submitted that the petitioner has got no criminal antecedent and is ready and willing to cooperate with the investigation. It is further submitted that in absence of there being any connection of the petitioner with the alleged occurrence, he is required to be protected.

Learned APP for the State is present and has opposed the prayer for bail.

In the given facts and circumstances, in case of arrest or surrender of the petitioner within a period of four weeks from today, the abovenamed petitioner shall be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge, Iind-cum-Special Judge, Excise Act, Samastipur in connection with T.R.No.1108 of 2018 arising out of Excise Case No.277 of 2017, subject to the condition that petitioner shall join the investigation by reporting to the Investigating Officer within a period of three weeks from today and shall cooperate in course of investigation, failing which the Investigating Officer shall be



at liberty to take steps for cancellation of his bail bond. This will
be in addition to condition prescribed under Section 438(2) of
the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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