

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12356 of 2018

Arising Out of PS.Case No. -497 Year- 2017 Thana -GANDHIMAIDAN District- PATNA

- =====
1. Khurshid Anwar @ Anwar
 2. Aftab Anwar @ Neyaz, both sons of Md. Shamim @ Mohammad Shamim, resident of Mohalla Bakarganj, Nalapar (Behind of Mona Cinema), Police Station Pirbahore, District Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar

For the Opposite Party/s : Smt. Veena Kumari Jaiswal

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-02-2018 Heard the learned counsel for the petitioners and the
learned counsel for the State.

The petitioners seek anticipatory bail in connection with Special Case No. 7502/17 (arising out of Gandhi Maidan P.S. Case No. 497 of 2017 registered for the offences punishable under Sections 30(a), 37(a) 38(a) and 41(a) of the Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 3. 58 liters of illicit liquor from a Scorpio vehicle which was lying in an abandoned condition.

The learned counsel for the petitioners submits that no recovery has been effected from the conscious possession nor the said vehicle belongs to the petitioners as has been stated in



paragraph 10 of the petition. It is submitted that the petitioners are having a clean antecedent.

Considering the nature of accusation levelled against the petitioners herein as also 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.

Accordingly, in the event of arrest or surrender before the concerned court within a period of six weeks from the date of receipt/production of a copy of the present order, the petitioners above named are directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge –IV cum Special Judge, NIA, Patna in connection with Special Case No. 7502 of 2017 (arising out of Gandhi Maidan P.S. Case No. 497 of 2017, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

BTiwary/-

U		T	
---	--	---	--

