

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11362 of 2018

Arising Out of PS. Case No.-29 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Nalanda

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Uttam Kumar, Son of Late Bisheshwar Mahto, Resident of Village-
Chilaungiya, P.S.-Kadirganj, District-Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Arun
For the Opposite Party/s : Mr. DR. RABINDRA KUMAR

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

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

This is an application for grant of anticipatory bail in connection with G.O. Case No. 29 of 2018 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 24 litres of illicit liquor from the poultry farm of the petitioner.

The learned counsel for the petitioner submits that neither any recovery has been made from the conscious possession of the petitioner nor there has been compliance of provisions of Section 100 Cr.P.C. The petitioner is said to be having a clean antecedent.



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 petitioner herein to the privilege of anticipatory bail, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge (Excise), Nawada in connection with G.O. Case No. 29 of 2018 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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