

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9575 of 2018

Arising out of PS.Case No. -720 Year- 2017 Thana -BUXAR District- BUXAR

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JITENDRA KUMAR SINGH @ JIUT @ JITENDRA KUMAR S/o
Suryanath Singh, R/o Village- Kanak Narayanpur, P.S.- Buxar (M),
District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 28-02-2018 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 Buxar (T) P.S. Case No. 720 of 2017 registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(a) and 41(i) of the Bihar Excise Act.

The allegation is regarding recovery of 90 liters of illicit foreign liquor from the car 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 the provisions of Section 100 Cr.P.C. has been complied with while seizing the articles, hence the seizure itself is



doubtful. 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 A.D.J.-II-cum-Special Judge, Buxar in connection with Buxar (T) P.S. Case No. 720 of 2017 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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