

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11600 of 2018

Arising Out of PS.Case No. -7 Year- 2018 Thana -KALYANPUR District- SAMASTIPUR

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1. Ajay Kumar Rai @ Ajay Kumar @ Makku, Son of Arun Mahto, resident of Village- Kalyanpur Chowk, P.S.- Kalyanpur, District- Samastipur.
 2. Dilip Rai, Son of Modi Rai, resident of Village- Jakhara, P.S.- Kalyanpur, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar

For the Opposite Party/s : Mr. Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

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

This is an application for grant of anticipatory bail in connection with Kalyanpur P.S. Case No.07 of 2018 registered for the offence punishable under Sections 272, 273 of the Indian Penal Code and 30(a), 38(i)(ii)(iii)/47 of Bihar Prohibition of Liquor and Excise Act, 2016.

The allegation is regarding recovery of 35.2 litres of illicit liquor from a Xylo Car and 72 litres of illicit liquor from the house of one Pappu Jha.

The learned counsel for the petitioners submits that neither any recovery has been made from the conscious



possession of the petitioners nor the vehicle belongs to the petitioners as such the entire allegation against the petitioners is false and concocted.

Considering the nature of accusation and the fact that, prima facie, no case is made out for the offences punishable under the Excise Act, I deem it fit and proper to admit the petitioners herein to the privilege of anticipatory bail, in the even of their 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) each with two sureties of the like amount each to the satisfaction of 6th Additional Sessions Judge-cum-Special Judge, Excise, Samastipur in connection with Kalyanpur P.S. Case No.07 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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