

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.12410 of 2018**

Arising Out of PS.Case No. -847 Year- 2017 Thana -MUZAFFARPUR TOWN District-  
MUZAFFARPUR

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1. Tuntun Kumar, Son of Debu Ray, Resident of Village- Rampur Vishun,  
P.S.- Warisnagar, District- Samastipur.

.... .... Petitioner/s

Versus

1. 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. Smt. Renuka Ratnakar

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      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 Muzaffarpur (Town) PS case no. 847 of 2017  
registered for the offences punishable under Sections 272, 273 of Indian  
Penal Code and 30(a), 38(2) of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 18 ltrs. of illicit  
liquor from an auto rickshaw.

The learned counsel for the petitioner submits that  
neither any recovery has been made from the conscious possession of  
the petitioner nor the said auto rickshaw is said to be that of the  
petitioner. It is further submitted that the petitioner has 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 appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, 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, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge (Excise), Muzaffarpur in connection with Muzaffarpur (Town) PS case no. 847 of 2017 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

**(Mohit Kumar Shah, J)**

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