

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10744 of 2018

Arising Out of PS.Case No. -277 Year- 2017 Thana -KARAHGAR District- SASARAM (ROHTAS)

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Rinku Sah S/o Ramgranth Sah, R/o Mohalla- Baulia, P.S.- Sasaram Town,
District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Rajendra Nath Jha

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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 counsel for the State.

The petitioner seeks anticipatory bail in connection with Karghar PS case no. 277 of 2017 registered for the offences punishable under Sections 272/273/120B of the Indian Penal Code and Sections 30(a)/35/41 of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 75 cartoons containing of 750 ML and 375 ml of illicit liquor from the poultry form of one Rajesh Kumar Gupta.

The learned counsel for the petitioner submits that the said co-accused Rajesh Kumar Gupta, upon interrogation, has taken the name of as many as 35 persons being his accomplice and one of the persons is the petitioner herein. It is submitted that



amongst the said 35 persons, one co-accused Chhotu Kumar @ Chhotu has been granted anticipatory bail by this Court by an order dated 20.2.2018 passed in Cr. Misc. No. 9994 of 2018. It is stated that the petitioner is having a clean antecedent.

Considering the nature of accusation levelled against the petitioner 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) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge II-cum- Special Judge, Excise Act, Rohtas, Sasaram in connection with Karghar PS case no. 277 of 2017, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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