

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10212 of 2018

Arising Out of PS. Case No.-352 Year-2017 Thana- BETTIAH CITY District- West
Champaran

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Laxman Ram, S/o Jaleshwar Ram, R/o Ambedkar Nagar, Baswariya, P.S.
Bettiah Town, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. RAJENDRA SINGH SHASTRIJI

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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 Bettiah Town P.S. Case No. 352 of 2017 registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Sections 30, 33, 34, 36 and 38(i) of the Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 5 litres of country made illicit liquor and solution of jaggery from the house of the petitioner.

The learned counsel for the petitioner submits that the entire allegation is concocted and the provisions of Section 100 Cr.P.C. has not been followed while preparing the seizure list,



hence the entire seizure is vitiated. It is submitted that the petitioner is 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 Special Judge, Excise, Bettiah, West Champaran in connection with Bettiah Town P.S. Case No. 352 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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