

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11481 of 2018

Arising Out of PS.Case No. -279 Year- 2017 Thana -RAJNAGAR District- MADHUBANI

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Prem Kumar Rai @ Prem Rai @ Prem Kumar Son of Pawan rai, Resident
of Village-Ekamma, P.S. Raj Nagar, District-Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Humayou Ahmad Khan

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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 Raj Nagar P.S. Case No.279 of 2017
registered for the offence punishable under Sections 272, 273, 34
of the Indian Penal Code and Section 30(a) of Bihar Prohibition
and Excise Act, 2016.

The allegation is regarding recovery of 84 litres of
Nepali wine from a place situated at the back side of the house of
the co-accused persons.

The learned counsel for the petitioner submits that
neither any recovery has been made from the conscious
possession of the petitioner nor from the house of the petitioner.



It is further submitted that the petitioner is having clean antecedent.

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 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 Additional Sessions Judge II cum Special Judge, Excise Act, Madhubani in connection with Raj Nagar P.S. Case No.279 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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