

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10910 of 2018

Arising Out of PS.Case No. -177 Year- 2017 Thana -LADANIA District- MADHUBANI

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Raushan Kumar, Son of Siba Shankar Sah, Resident of Village- Jhanjharpur
Ward No.6, P.S.- Jhanjharpur, 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 counsel for the State.

The petitioner seeks anticipatory bail in connection with Ladaniya P.S. Case No. 177 of 2017 registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 360.900 liters of illicit liquor from an auto-rickshaw of which the petitioner is said to be the owner.

The learned counsel for the petitioner submits that no recovery has been effected from the person of the petitioner and the said auto-rickshaw had been given on hire to the driver who was apprehended from the spot and 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 petitioner 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 petitioner above named is 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, Madhubani in connection with Ladaniya P.S. Case No. 177 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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