

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10282 of 2018

Arising Out of PS. Case No.-1417 Year-2017 Thana- SASARAM MUFFSIL District- Rohtas

Srikant Mahto @ Srikant Singh S/o Upendra Singh @ Upendra Mahto, R/o
Village- Dhauradh, P.S.- Sasaram (M), District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Opposite Party/s : Mr. SRI JAGDHAR PRASAD

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 Sasaram (M) P.S. Case No. 1417 of 2017 registered for the offence punishable under Sections 30(a), 35 and 38 of the Bihar Excise Amendment Act, 2016.

The allegation is regarding recovery of 242 litres of illicit liquor from the boring situated on a land outside the village belonging to the joint family of the petitioner herein.

The learned counsel for the petitioner submits that the land is situated outside the village, the probability of plantation of the said liquor cannot be ruled out. It is further submitted that neither the petitioner was caught from the spot nor any recovery has been made from his conscious possession.



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, Rohtas, Sasaram in connection with Sasaram (M) P.S. Case No. 1417 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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