

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24386 of 2018

Arising Out of PS.Case No. -1 Year- 2018 Thana -NAWAKOTHI District- BEGUSARAI

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Dhiraj Kumar @ Dheeraj Singh, S/o Balram Singh, Resident of Village-
Maheshwara, P.S.- Naokothi, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Chandrasen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 26-04-2018 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks anticipatory bail in connection
with Navkothi P.S. Case No. 01 of 2018 for the offences
punishable under Section 30(a) of Bihar Prohibition and Excise
Act, 2016.

Allegation is regarding recovery of 973.440 liter of
illicit liquor from Manrega Bhawan.

The learned counsel for the petitioner submits that
neither Manrega Bhawan belongs to the petitioner nor any
recovery has been made from the conscious possession of the
petitioner. It is further submitted that the provisions of Section 100
of the Code of Criminal Procedure has not been complied with,



hence the seizure itself is doubtful. It is further submitted that the co-accused persons have been granted bail by this Court vide order dated 12.4.2018 passed in Cr. Misc. No. 20781 of 2018 and the order dated 13.4.2018 passed in Cr. Misc. No. 21207 of 2018.

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 appropriate to admit the petitioner to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, the petitioner, above named, is directed to be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge II -cum- Special Judge, Bihar Excise and Prohibition Act, Begusarai in connection with Naokothi P.S. Case No.01 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Mohit Kumar Shah, J)

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