

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.11839 of 2018**

Arising Out of PS.Case No. -63 Year- 2017 Thana -NANHPUR District- SITAMARHI

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Hira Patel @ Heela Patel

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Ajay Kumar Jha

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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 Nanpur PS case no. 63 of 2017 registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Sections 30(a), 37(b) and 41 of the Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 180 Ml of illicit liquor from the pocket of the co-accused person and during the course of investigation, the petitioner is said to have been implicated in the present case.

The learned counsel for the petitioner submits that no recovery has been made from the conscious possession of the petitioner. It is further submitted that the petitioner is not an FIR



named accused person and is having a fair 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, Sitamarhi in connection with Nanpur PS case no. 63 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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