

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12081 of 2018

Arising Out of PS.Case No. -183 Year- 2017 Thana -SARAI RANJAN District- SAMASTIPUR

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1. Pramod Ray S/o Late Jai Narayan Ray, R/o Village- Morwa, P.S.-
Tajpur, District- Samatipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Babita Kumari

For the Opposite Party/s : Mr. Sri Bisheshwar Ram

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-02-2018

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 Sarai Ranjan PS case no. 183 of 2017 registered for the
offences punishable under Sections 30(a), 38(i)(ii), 41(i)(ii) of Bihar
Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 9 ltrs. of illicit
liquor from the co-accused persons on being apprehended when they
were going on motorcycle and they are said to have disclosed the name
of the petitioner herein whereafter, the house of the petitioner raided
and 7.5 ltrs. of illicit liquor was recovered from the land situated
outside the premise of the petitioner.

The learned counsel for the petitioner submits that
neither any recovery has been made from the conscious possession of



the petitioner nor the place from where the alleged recovery has been made belongs to the petitioner. It is further submitted that barring one case which has been registered for the same subject matter and which arise out of the present case, the petitioner has a fair antecedent.

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, the abovenamed petitioner, 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, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Additional District -Ind-cum-Special Judge (Excise), Samastipur in connection with Sarai Ranjan PS case no. 183 of 2017 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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