

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10572 of 2018

Arising Out of PS.Case No. -269 Year- 2017 Thana -HUSAINGANJ District- SIWAN

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1. Rajendra Prasad @ Chiraiya, Son of Ramje Prasad, R/o Village-Gopalpur, P.S.- Hussainganj, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Nand Kishore Pd

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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 A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Hussainganj P.S. Case No.269 of 2017 registered for the offence punishable under Sections 272, 273, 308 of the Indian Penal Code and Sections 41(1) 30, 36 and 38 of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 86.40 litres of illicit liquor from a Bolero vehicle, which had met with an accident.

The learned counsel for the petitioner submits that neither the Bolero vehicle belongs to him nor any recovery has been made from the person of the petitioner. It is further



submitted that the petitioner is having clean antecedent.

Considering the nature of accusation and the fact that, prima facie, no case is made out for the offences punishable under 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 Additional District and Sessions Judge IInd cum Special Judge (Excise), Siwan in connection with Hussainganj P.S. Case No.269 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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