

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10718 of 2018

Arising Out of PS.Case No. -283 Year- 2017 Thana -UCHAKAGAON District- GOPALGANJ

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Rajesh Ram S/o Late Bechan Ram, R/o Village- Brindaban Mauje, P.S.-
Uchakagaon, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Dwivedi

For the Opposite Party/s : Mr. Shyameshwar Dayal

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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 Uchakagaon P.S. Case No.283 of 2017
registered for the offence punishable under Section 30(a) of Bihar
Excise Prohibition Act, 2016.

The allegation is regarding recovery of 2.34 litres
of illicit liquor from an abandoned hut.

The learned counsel for the petitioner submits that
neither any recovery has been effected from possession of the
petitioner nor the said hut is inhabited and moreover, the
provisions of Section 100 Cr.P.C. has not been complied, hence
the entire seizure is itself doubtful.



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 2nd Additional Sessions Judge-cum-Special Judge, Gopalganj in connection with Uchakagaon P.S. Case No.283 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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