

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10229 of 2018

Arising Out of PS. Case No.-365 Year-2017 Thana- MASRAKH District- Saran

Bhola Nut, son of Santlal Nut, Resident of Village- Sisai, P.S.- Mashrak,
District- Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. ARBIND KUMAR PANDEY

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 Masrakh P.S. Case No. 365 of 2017 registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Sections 30, 30(a), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 15 litres of illicit liquor from the house of the co-accused Saddam Hussain.

The learned counsel for the petitioner submits that neither any recovery has been made from the person of the petitioner nor from his house. It is submitted that the petitioner is having a clean 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 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 learned 6th A.D.J. / Special Judge, Excise Act, Saran, Chapra in connection with Masrakh P.S. Case No. 365 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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