

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11756 of 2018

Arising Out of PS.Case No. -243 Year- 2017 Thana -JAGDIHSPUR District- BHOJPUR

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Chhotu Kumar, S/o Sheo Narayan Prasad, R/o Village- Dawan, P.S.- Jagdishpur, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Jee Mishra

For the Opposite Party/s : Mr. Sri Arbind Kumar Pandey

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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 Jagdishpur PS Case No. 243 of 2017 registered for the offences punishable under Section 30(A) of the Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 63 liters of country made liquor from the tent house 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 petitioner has got anything to do with the alleged recovered illicit liquor and, moreover, his father has already suffered, having been arrested and kept behind bars for



sufficient long time. It is further submitted that the petitioner has a clean antecedent and the father of the petitioner has already been granted regular bail by this Court.

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 Special Judge, Excise Act, Bhojpur, Ara in connection with Jagdispur PS case no. 243 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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