

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.10058 of 2018**

Arising Out of PS. Case No.-98 Year-2017 Thana- AKBARNAGAR District- Bhagalpur

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1. Rudal Kumar son of Shravan Kumar Mandal, resident of village-Motichak, P.S. Akbarnagar, District-Bhagalpur
  2. Ashish Mandal son of Late Devi Mandal, resident of village-Shahabad, P.S. Akbarnagar, District-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar Jha

For the Opposite Party/s : Mr. RAM BILASH ROY RAMAN

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

3     27-02-2018             Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Akbarnagar P.S. Case No. 98 of 2017 registered for the offence punishable under Section 30(A) of the Bihar Excise & Prohibition Act.

The allegation is regarding recovery of 102 litres of illicit liquor from a car upon the same being apprehended by the Police and upon interrogation the person apprehended on the spot disclosed the name of the petitioners herein as his accomplice.

The learned counsel for the petitioners submits that neither the car belongs to the petitioners nor any recovery has been made from their person. It is stated that the petitioners are



having a clean antecedent.

Considering the nature of accusation levelled against the petitioners 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 petitioners herein to the privilege of anticipatory bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned 4<sup>th</sup> Additional Sessions Judge-cum-Special Judge (Excise), Bhagalpur in connection with Akbarnagar P.S. Case No. 98 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Mohit Kumar Shah, J)**

S.Sb/-

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