

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10568 of 2018

Arising Out of PS.Case No. -144 Year- 2017 Thana -IMAMGANJ District- GAYA

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1. Barat Das, Son of Jhakusu Das, Resident of Village- Narayanpur, P.S.-
Imamganj, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. Mithilesh Kumar Khare

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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 Imamganj P.S. Case No.144 of 2017
registered for the offence punishable under Sections 353 and 272
of the Indian Penal Code and Section 30(a) of Bihar Prohibition
and Excise Act, 2016.

The allegation is regarding recovery of 50 litres of
illicit liquor from the bushes situated in a field.

The learned counsel for the petitioner submits that
neither any recovery has been effected from the person of the
petitioner nor the field from where the recovery has been made
belongs to 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 Special Judge, Excise Act, Gaya in connection with Imamganj P.S. Case No.144 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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