

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.10180 of 2018**

Arising Out of PS. Case No.-28 Year-2017 Thana- KATRA District- Muzaffarpur

Vikash Thakur @ Vikash Kumar, Son of Navin Thakur, Resident of Village-  
Dhanaur Western Tola, P.S. Katra, District Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ravi Ranjan

For the Opposite Party/s : Mr. MADHURANAND JHA

**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 Katra P.S. Case No. 28 of 2017 registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Sections 30(A), 35 and 38 of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 18.36 litres of illicit liquor from a house which is in joint possession of the petitioner and his family members.

The learned counsel for the petitioner submits that apart from the discrepancy in the FIR, the seizure list has not been prepared in compliance of Section 100 Cr.P.C. It is further submitted that the petitioner was not present at the alleged place



of occurrence on the said date and time. It is further 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 3<sup>rd</sup> Additional Sessions Judge-cum-Special Judge, Excise, Muzaffarpur in connection with Katra P.S. Case No. 28 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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