

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10614 of 2018

Arising Out of PS.Case No. -328 Year- 2017 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

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Nandlal Mahto, S/o Hari Mahto, Resident of Village- Siswa Noyiya Tola,
P.S. Paharpur, District East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No. 2, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta

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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 Paharpur P.S. Case No.328 of 2017 registered
for the offence punishable under Sections 272, 273 of the Indian
Penal Code and Sections 30(a), 33, 34, 36, 37(a) of the Bihar
Prohibition Act.

The allegation is regarding recovery of 1.5 litres of
illicit liquor from a person, who was in an intoxicated condition.
The further allegation is regarding recovery of 10 kg of Gur from
the house of the petitioner.

The learned counsel for the petitioner submits that a
bare reading of the F.I.R. does not make out any case as against



the petitioner herein. 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 even 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 7th Additional Sessions Judge, East Champaran at Motihari in connection with Paharpur P.S. Case No.328 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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