

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10314 of 2018

Arising Out of PS.Case No. -367 Year- 2017 Thana -BIKRAMGANJ District- SASARAM
(ROHTAS)

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Rauki Singh @ Ranjan Kumar Singh S/o Sri Vidyapati Singh, R/o Village-
Dhangai, P.S.- Bikramganj, District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh

For the Opposite Party/s : Mr. Md. Sufiyan

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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 Bikramganj P.S. Case No.367 of 2017
registered for the offence punishable under Sections 272, 273 of
the Indian Penal Code and 30(a) of Bihar prohibition and Excise
Act, 2016.

The allegation is regarding recovery of 30 litres of
illicit liquor from a barren field.

The learned counsel for the petitioner submits that
neither any recovery has been effected from the person of the
petitioner nor the said field belongs to the petitioner. It is
submitted that barring one case in which the petitioner is on bail,



the petitioner is having a fair antecedent. It is further submitted that the provisions of Section 100 of the Cr.P.C. has not been complied with while preparing the seizure list, hence the entire seizure is itself vitiated.

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 IInd Additional District and Sessions Judge-cum-Special Judge, Excise, Rohtas at Sasaram in connection with Bikramganj P.S. Case No.367 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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