

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11043 of 2018

Arising Out of PS.Case No. -2 Year- 2018 Thana -TARIYANI CHOWK District- SHEOHAR

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Sohan Yadav @ Sohan Rai S/o Dashrath Rai, R/o Village- Kothiya, P.S.-
Tariyani, District- Sheohar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Rajendra Prasad Nat

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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 counsel for the State.

The petitioner seeks anticipatory bail in connection
with Tariyani P.S. Case No. 02 of 2018 registered for the offences
punishable under Sections 30(A) and 35 of the Bihar Prohibition
and Excise Act.

The allegation is regarding recovery of 7.5 liters of
illicit liquor from the house of the petitioner.

The learned counsel for the petitioner submits that since
the house of the petitioner was under construction, the alleged
recovery cannot be said to be from the house belonging to the
petitioner herein since lot of people including the labourers were
residing in the said house. The petitioner is having a clean



antecedent.

Considering the nature of accusation levelled against the petitioner 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 petitioner herein to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender before the concerned court within a period of six weeks from the date of receipt/production of a copy of the present order, the petitioner above named is directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-1, cum Special Judge, Sheohar, District Sheohar in connection with Tariyani P.S. Case No. 02 of 2018, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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