

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10763 of 2018

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Lakshman Ray S/o Yogendra Ray, R/o village- Sabalpur Mahuabag, Battali,
P.S.- Sonapur, District- Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Sinha

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

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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 Ganga Bridge PS case no. 55 of 2017 registered for the
offences punishable under Section 30(A) of the Bihar Prohibition
and Excise Act.

The allegation is regarding recovery of 40 liters of
illicit liquor from one motorcycle, where other motorcycle
belonging to the petitioner was also present and the petitioner is
stated to have fled away. It has been alleged that from the second
motorcycle also 25 liters of illicit liquor was recovered.

The learned counsel for the petitioners submits that
neither any recovery has been effected from the person of the
petitioners nor the petitioner has been seen by the police fleeing



away and merely on the statement of the co-accused persons, the petitioner has been falsely implicated in the present case. It is submitted that the petitioner has a clean antecedent.

Considering the nature of accusation levelled against the petitioners 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 petitioners above named are 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 Chief Judicial Magistrate, Hajipur at Vaishali in connection with Ganga Bridge PS case no. 55 of 2017, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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