

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11745 of 2018

Arising Out of PS.Case No. -307 Year- 2017 Thana -VISHNUPAD District- GAYA

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Rakesh Kumar son of Birju Sao, resident of village Naya Basti (Dandi Bagh, near residential Bal Vidya School, P.S.Kotwali, District Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav

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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 Vishnupad PS case no. 307 of 2017 registered for the offences punishable under Sections 341, 323, 353, 337, 427, 34 of the Indian Penal Code and Section 30(a) and 47 of the Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 8 liters of illicit liquor from a motorcycle.

The learned counsel for the petitioner submits that neither any recovery has been made from the conscious possession of the petitioner nor the motorcycle belongs to the petitioner and the petitioner is having a fair 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 Special Judge, Excise Act, Gaya in connection with Vishnupad PS case no. 307 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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