

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11333 of 2018

Arising Out of PS. Case No.-400 Year-2017 Thana- BUDDHACOLONY District- Patna

Sohail Akhtar Son of Asfaque Ahmad @ Md. Ashfaque, Resident of Mohalla-
Shahganj Lane Mehendru, P.S. Sultanganj, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. SANJAY KUMAR TIWARY 1

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 Budha Colony P.S. Case No. 400 of 2017, Special Case No. 8388 of 2017 registered for the offence punishable under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 20 litres of illicit liquor from a motorcycle.

The learned counsel for the petitioner submits that the petitioner has not been made accused in the FIR and in fact his name has transpired during the course of investigation upon disclosure made by the accused persons. It is further submitted that the petitioner had already sold the motorcycle to the



accused person in the year 2013. The petitioner is said to be having a clean antecedent.

Considering the nature of accusation and 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, in the event 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 learned Additional Sessions Judge-IV, Excise Act, Patna in connection with Budha Colony P.S. Case No. 400 of 2017, Special Case No. 8388 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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