

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12193 of 2018

Arising Out of PS.Case No. -350 Year- 2017 Thana -RAJAULI District- NAWADA

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1. Manoj Kumar (owner of Honda Shine motorcycle No.JH-02AR/5173)
S/o Kailash Prasad , R/o Village- Karanpur, P.S.- Rajauli, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabi Bhushan Prasad No. 1

: Mr. Vija Pd. Bhargava

For the Opposite Party/s : Mr. Smt. Reena Sinha

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-02-2018 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 Rajauli PS case no. 350 of 2017 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 20 ltrs. of illicit liquor from the house of the co-accused namely Kajri. It is further alleged that three motorcycles were standing in front of the house of Kajri and one of the said motorcycle belongs to the petitioner.

The learned counsel for the petitioner submits that neither any recovery has been effected from the conscious possession of the petitioner nor any recovery has been made from the said motorcycles. It is further submitted that the petitioner has 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 appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, 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, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge-cum-Special Judge, Nawada in connection with Rajauli PS case no. 350 of 2017 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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