

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4555 of 2018

Arising Out of PS.Case No. -231 Year- 2017 Thana -MASRAKH District- SARAN

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1. Dhruv Nath Singh @ Dhruv Singh S/o Hari Narayan Singh, R/o Village-Usti, at present residing at Balua , P.S.- Jalalpur, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Udai Shankar Singh

For the Opposite Party/s : Mr. Sri Rajendra Nath Jha

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 31-01-2018 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 Mashrakh PS case no. 231 of 2017 registered for the offences punishable under Sections 272, 273 of Indian Penal Code and 30, 30(a), 41 of Bihar Prohibition & Excise Act.

The case of the prosecution is that the police had proceeded upon receiving secret information that huge quantity of English wine is being unloaded from a truck and thereafter, the same is being loaded in Scorpio vehicle. The police had then raided the said place of occurrence and seized some vehicles as also recovered 386.005 ltrs. of illicit liquor.

The learned counsel for the petitioner submits that



the petitioner is innocent, neither the vehicle nor the illicit liquor belong to him. It is further submitted that the petitioner has a clean antecedent and no recovery has been made from the conscious possession of the petitioner herein.

Having regards to the facts and circumstances of the case as also the fact that *prima facie* no case is made out against the petitioner herein for the offence punishable under the provisions of 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 A.D.J. VIth Saran at Chapra in connection with Mashrakh PS case no. 231 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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