

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10660 of 2018

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Jai Prakash Bhagat S/o Shiv Pujan Bhagat, R/o Village- Sanichari Hat,
Azamnagar, P.S.- Azamnagar, District- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Qumrul Hoda

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

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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 A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Azamnagar P.S. Case No.223 of 2017
registered for the offence punishable under Section 30(a) of Bihar
Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 2.25 litres
of illicit liquor from the motorcycle being driven by the co-
accused persons.

The learned counsel for the petitioner submits that
though the motorcycle belongs to the petitioner but the same had
been given to the co-accused persons for attending to some
urgent work. The petitioner is stated to have not been named in
the F.I.R. and is having a clean antecedent. It is further submitted



that no recovery has been effected from the person of the petitioner.

Considering the nature of accusation and the fact that, prima facie, no case is made out for the offences punishable under the Excise Act, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail, in the even 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 A.D.J.-II-cum-Special Judge, Excise Act, Katihar in connection with Azamnagar P.S. Case No.223 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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