

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24540 of 2018

Arising Out of PS.Case No. -75 Year- 2017 Thana -HATHIDAH District- PATNA

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1. Sittu Kumar S/o Manoj Singh @ Manoj Kumar , R/o Ward No. 13,
Hathidah Bujurg, P.S.- Hathidah, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhu Prasun

For the Opposite Party/s : Mr. Sri Rajendra Singh Shastriji

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-04-2018 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 Special Case No.7725 of 2017 arising out of Hathidah P.S. Case No.75 of 2017 registered for the offence punishable under Section 30(a) of Bihar Excise & Prohibition Act, 2016.

The allegation is regarding recovery of 0.75 litres of illicit liquor from the possession of the co-accused, namely, Manish Mumar and about 7 litres of illicit liquor from the bushes situated at an abandoned place.

The learned counsel for the petitioner submits that neither any recovery has been effected from possession of the



petitioner nor the said field from where the recovery has been effected belongs to the petitioner. It is submitted that the petitioner is having clean antecedent. It is further submitted that the co-accused persons have already been granted anticipatory bail.

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.

Accordingly, in the event of 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, the petitioner, above named, is directed to be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise, Patna in connection with Special Case No.7725 of 2017 arising out of Hathidah P.S. Case No.75 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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