

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24862 of 2018

Arising Out of PS. Case No.-18 Year-2018 Thana- THAWE District- Gopalganj

Jitendra Singh Son of Rajdeo Singh Resident of Village-Brindavan Sadasi Rai
Ka Tola Police Station-Uchkagaon District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh
For the Opposite Party/s : Mr. Sri Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 26-04-2018 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 Thawe P.S. Case No. 18 of 2018 registered for the offence punishable under Sections 272, 273 of the Indian Penal Code and Sections 30(a), 35, 38 of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 216 litres of illicit liquor from a vehicle.

The learned counsel for the petitioner submits that neither the said vehicle belongs to the petitioner nor any recovery has been made from the conscious possession of the petitioner herein. It is further submitted that the provisions of Section 100 Cr.P.C. has not been complied with while preparing



the seizure list, hence the seizure list itself is vitiated. Lastly, it is submitted that the petitioner is having a clean antecedent.

Considering the nature of accusation and the fact that prima facie, no case is made out for the offences 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 District and Sessions Judge II cum Special Judge, Gopalganj in connection with Thawe P.S. Case No. 18 of 2018, 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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