

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50031 of 2018

Arising Out of PS. Case No.-222 Year-2017 Thana- BELDOUR District- Khagaria

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Maheshwar Sada S/o Bihru Sada, resident of Village- Ushraha, P.S.- Beldaur,
District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Sri Satyadev Prasad Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 18-09-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks Anticipatory bail in connection
with Beldaur P.S. Case No. 222 of 2017 registered under
Sections 30 and 32 of Bihar Prohibition Act and Excise Act,
2016.

Allegation in the FIR is that the informant received
secret information that three persons having wine in a black bag
are going towards Pansalwa on motorcycle. On receiving such
information, the police personnel waited on the road and at
about 12.15 o'clock they saw three persons coming on a
motorcycle, on seeing police they started fleeing away. On chase
two persons were caught but the petitioner is said to have
jumped into the water and fled away. 10 liters liquor was



recovered from the bag and two litres from the dicky of the motorcycle.

It has been submitted on behalf of the petitioner that name of the petitioner has surfaced on the basis of statement made by co-accused and nothing has been recovered from his physical or conscious possession. Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer of Anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, the petitioner is directed to be released on bail 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 Sessions Judge-I-cum-Special Judge, Excise Khagaria, in connection with Beldaur P.S. Case No. 222 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

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