

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3843 of 2018

Arising Out of PS.Case No. -299 Year- 2017 Thana -MASRAKH District- SARAN

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1. Anil Singh Son of late Raghav Singh Residents of Village- Gangauli,
Police Station- Masrakh, 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. Narendra Kumar

For the Opposite Party/s : Mr. Sri Rajeev Nayan

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-01-2018 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 Masrakh P.S. Case No. 299 of 2017 registered for
the offence punishable under Sections 272, 273 of the Indian Penal
Code and Sections 30, 30(a), 38, 41 of the Bihar Prohibition and
Excise Act, 2016.

The allegation is regarding the police apprehending a
truck, which is said to be loaded with chemical, however, upon the
examination, it transpired that 6000 liters of spirit was being
carried on the said truck. The said truck is said to be a public
career.

The learned counsel for the petitioner submits that the
petitioner has neither been apprehended on the spot nor any
recovery has been made from his conscious possession and he has
been falsely implicated in this case merely on the statement of the



apprehended persons. It is further submitted that the owner of the truck has been granted anticipatory bail by this Court by an order dated 09.01.2018 passed in Criminal Miscellaneous No. 63598 of 2017 and other co-accused person has been granted anticipatory bail by this Court by an order dated 13.12.2017 passed in Criminal Miscellaneous No. 59446 of 2017.

Having regard to the facts and circumstances of the case, more particularly the fact that prima facie no offence is made out under the provisions of the Excise Act as far as the petitioner is concerned and further the fact that the co-accused persons, who are said to be the main accused, have already been granted anticipatory bail by this Court, I deem it fit and proper to enlarge the petitioner above named, 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 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 learned Additional Sessions Judge, VIth, Saran at Chapra in connection with Masrakh P.S. Case No. 299 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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