

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3959 of 2018

Arising Out of PS.Case No. -19 Year- 2017 Thana -GOVINDPUR District- NAWADA

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Dinesh Rajvanshi @ Pawan Rajvanshi, S/o Hira Rajvanshi @ Hira Ram,
resident of Village- Bhulanbigha, P.S.- Hisua, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Krishna Deo Raj

For the Opposite Party/s : Mr. Md. Arif

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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 Govindpur P.S. Case No. 19 of 2017 registered
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act.

The allegation is regarding recovery of 13 liters of illicit
liquor from an auto rickshaw of which the petitioner is said to be
the owner.

The learned counsel for the petitioner submits that
neither the petitioner has been apprehended from the spot nor any
recovery has been made from his conscious possession. It is
further submitted that the petitioner is having a clean antecedent
and the provisions of Section 100 of the Cr.P.C. has not been



followed while preparing the seizure list.

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, 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 A.D.J.-II-cum-Special Court, Nawada in connection with Govindpur P.S. Case No. 19 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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