

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12573 of 2018

Arising Out of PS.Case No. -413 Year- 2017 Thana -TAJPUR District- SAMASTIPUR

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Manish Kumar @ Mintu @ Manish Ray, son of Lal Bahadur Ray @ Lal Bahadur Rai, resident of village-Gangapur, P.S. Tajpur (Waini O.P.), District-Samastipur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ranjan Kumar

For the Opposite Party/s : Mr. Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-02-2018 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 Tajpur (Waini O.P.) P.S. Case No. 413 of 2017 registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Sections 30(a), 38(i) (i) and 47 of the Bihar Prohibition and Excise Amendment Act, 2016.

The allegation is regarding recovery of 105.8 liters of illicit liquor from the field of one Lalo Rai.

The learned counsel for the petitioner submits that neither any recovery has been made from the conscious possession of the petitioner nor the said field belongs to the petitioner herein. It is further submitted that the similarly situated co-accused has been granted bail by an order dated 20.02.2018 passed in Criminal



Misc. No. 9668 of 2018.

Considering the nature of accusation and the fact that prima facie no case 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 6th Additional Session Judge-cum-Special Judge, Excise, Samastipur in connection with Tajpur (Waini O.P.) P.S. Case No. 413 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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