

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11089 of 2018

Arising Out of PS.Case No. -368 Year- 2017 Thana -HILSA District- NALANDA
(BIHARSHARIFF)

=====

1. Mritunjay Kumar S/o Rajendra Prasad , R/o Village/Mohalla- Ram Murti
Nagar, P.S.- Hilsa, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Mr. Sri Bharat Lal

=====

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 Hilsa PS case no. 368 of 2017 registered for the
offences punishable under Sections 30(A), 47 of Bihar Prohibition and
Excise Act, 2016.

The allegation is regarding recovery of 03 ltrs. of illicit
liquor from the possession of one Rakesh Kumar and the said Rakesh
Kumar had purchased the said liquor from the petitioner and one person
namely Bahadur.

The learned counsel for the petitioner submits that no
recovery has been made from the conscious possession of the
petitioner. It is further submitted that the petitioner has got no
connection with the said Rakesh Kumar. It is further submitted that



barring one case in which the petitioner is on bail, the petitioner is having a fair antecedent.

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 appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, 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, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of 6th Additional Sessions Judge-cum-Special Judge Excise, Nalanda at Biharsharif in connection with Hilsa PS case no. 368 of 2017 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

rinkee/-

U		T	
---	--	---	--

