

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10155 of 2018

Arising Out of PS. Case No.-850 Year-2017 Thana- NAWADA District- Nawada

Rajo Chaudhary Son of Balo Chaudhary Resident of Village- Dobhra Par,
P.S. Nagar(Bundelkhand), District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. SRI SURENDRA PRASAD SINGH

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-02-2018 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 Nawada Nagar (Bundelkhan) P.S. Case No. 850 of 2017 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

It is alleged that 16.60 litres of illicit liquor was recovered from the garbage situated outside the house of the petitioner.

The learned counsel for the petitioner submits that neither the said illicit liquor has been recovered from the possession of the petitioner nor from his house. It is further submitted that the provisions of Section 100 Cr.P.C. has not been followed while preparing the seizure list. It is submitted that the petitioner is having a clean 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 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 Judge, Nawada in connection with Nawada Nagar (Bundelkhan) P.S. Case No. 850 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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