

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11072 of 2018

Arising Out of PS.Case No. -295 Year- 2017 Thana -SURSAND District- SITAMARHI

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Lalu Mukhiya S/o Late Sokhi Mukhiya, R/o Village- Hanuman Nagar,
Akhara Tola, P.S.- Sursand, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Prasad Singh

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-02-2018 Heard the learned counsel for the petitioner and the

learned counsel for the State.

The petitioner seeks anticipatory bail in connection
with Sursand PS case no. 295 of 2017 registered for the offences
punishable under Sections 30(A) of the Bihar Prohibition and
Excise Act.

The allegation is regarding recovery of 28.500 liters of
illicit liquor from the straw kept in back of the house of the
petitioner.

The learned counsel for the petitioner submits that
neither any recovery has been effected from the possession of the
petitioners nor the place from where the recovery has been made
belongs to the petitioner and the petitioner is having a clean



antecedent.

Considering the nature of accusation levelled against the petitioner herein as also 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.

Accordingly, in the event of arrest or surrender before the concerned court within a period of six weeks from the date of receipt/production of a copy of the present order, the petitioner above named is directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J. II-cum- Special Judge, Excise Act, Sitamarhi in connection with Sursand PS case no. 295 of 2017, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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