

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12591 of 2018

Arising Out of PS.Case No. -324 Year- 2016 Thana -BARACHATTI District- GAYA

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Rajeev Ranjan, S/o Jagdish Singh, resident of Mohalla-Janakpur Road
Manpur, P.S. Moffasil, District-Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Sanjay Kumar

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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 Barachatti P.S. Case No. 324 of 2016 registered for the offence punishable under Sections 272, 273 and 120B of the Indian Penal Code and Sections 47(a), 48(2), 54 and 63 of the Bihar Excise (Amendment) Act, 2016.

The allegation is regarding recovery of 339.5 liters of illicit liquor when three cars were apprehended by the Police.

The learned counsel for the petitioner submits that no recovery has been made from the conscious possession of the petitioner herein. It is further submitted that as far as the car of the petitioner is concerned, a total quantity of 133.87 liters of illicit liquor is stated to have been recovered. It is submitted that the



provisions of Section 100 Cr.P.C. has not been complied with, hence the said seizure is itself vitiated. The petitioner is said to be 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 Special Excise Judge, Gaya in connection with Barachatti P.S. Case No. 324 of 2016 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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