

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12218 of 2018

Arising Out of PS.Case No. -2 Year- 2018 Thana -MASRAKH District- SARAN

=====

1. Dharmendra Singh @ Dharmendra, S/o Banke Singh,
2. Saheb Singh @ Mundan Singh @ Madan Kumar Singh, S/o Late
Hareram Singh, Both R/o Village- Dumari Chapia, P.S.- Traiya, District-
Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dr. Alok Kumar Sinha

For the Opposite Party/s : Mr. Umesh Lal Verma

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 28-02-2018 Heard the learned counsel for the petitioners and the

learned counsel for the State.

The petitioners seek anticipatory bail in connection
with Masrakh PS case no. 2 of 2018 registered for the offences
punishable under Sections 30(a)/ 30(c)/45 and 47 of the Bihar
Prohibition and Excise Act.

The allegation is regarding recovery of 1131.840 liters
of illicit liquor from the truck.

The learned counsel for the petitioner submits that
neither there is any evidence to suggest the complicity of the
petitioners in the present case nor the truck in question belongs to
the petitioners. It is further submitted that similarly situated co-
accused person has already been granted anticipatory bail by this



Court by an order dated 9.2.2018 passed in Cr. Misc. No. 7360 of 2018. It is further submitted that the petitioner is having a clean antecedent.

Considering the nature of accusation levelled against the petitioners 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 petitioners 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 petitioners above named are directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 6th Additional District and Sessions Judge, Excise, Saran, Chapra in connection with Masrakh PS case no. 02 of 2018, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

BTiwary/-

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

