

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12023 of 2018

Arising Out of PS.Case No. -392 Year- 2017 Thana -HILSA District- NALANDA
(BIHARSHARIFF)

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1. Nitish Kumar, Son of Shiv Narayan Prasad, Resident of Village-Damodarpur, P.S.- Hilsa, Dist- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Amit Kumar Rakesh

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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 Hilsa PS case no. 392 of 2017 registered for the offences punishable under Section 30(A) of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding one Gulsan Kumar having been apprehended whereupon, he disclosed that he was a delivery boy and he had taken the liquor from the petitioner.

The learned counsel for the petitioner submits that neither any recovery has been effected from the conscious possession of the petitioner nor any recovery has been made from the house of the petitioner. It is further submitted that the petitioner has 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 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) each with two sureties of the like amount each to the satisfaction of Additional District & Sessions Judge-VI-cum-Special Judge (Excise), Nalanda at Biharsharif in connection with Hilsa PS case no. 392 of 2017 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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