

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11834 of 2018

Arising Out of PS.Case No. -242 Year- 2017 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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Punni Lal Bhagat, s/o late Hari Bhagat, r/o vill-Semra Khas, PS-
Turkauliya, Dist- East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Chandra Pandey

For the Opposite Party/s : Mr. Smt. Asha Kumari

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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 Turkauliya PS case no. 242 of 2017 registered for the offences punishable under Sections 272, 273 of Indian Penal Code and 30(a), 33, 36, 41 of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 200 ltrs. of illicit liquor from the open field.

The learned counsel for the petitioner submits that neither any recovery has been made from the conscious possession of the petitioner nor the said field from where the illicit liquor has been recovered belongs to the petitioner. It is further submitted that barring one old case in which the petitioner is already on bail, the petitioner has a fair 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) with two sureties of the like amount each to the satisfaction of 7th Additional Sessions Judge, East Champaran, Motihari in connection with Turkauliya PS case no. 242 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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