

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12515 of 2018

Arising Out of PS.Case No. -458 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
SAHARSA

=====

1. Bibhash Kumar @ Bibhash Yadav, Son of Wakil Yadav, Resident of
Village- Gamharia, Ward No. 12, P.S.- Sour Bazar, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Sri Ajay Kumar Jha

=====

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 Special case no. 458 of 2017 registered for the offences
punishable under Sections 30(a) of Bihar Prohibition and Excise Act,
2016.

The allegation is regarding recovery of 21.54 ltrs. of
illicit liquor from the roof of a hut.

The learned counsel for the petitioner submits that
neither any recovery has been made from the conscious possession of
the petitioner nor the said hut belongs to 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) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-IIInd-cum-Special Judge (Excise), Saharsa in connection with Special case no. 458 of 2017 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

rinkee/-

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

