

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4837 of 2018

Arising Out of PS. Case No.-334 Year-2017 Thana- MASRAKH District- Saran

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Anil Singh, Son of Fulena Singh, Resident of Village- Baharauli Kon Tola,
P.S.- Mashrakh, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay kr Singh No.1

For the Opposite Party/s : Mr. SRI PREM KUMAR JHA

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 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 Mashrakh P.S. Case No. 334 of 2017 registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Sections 30, 30(a), 38 and 41 of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 19 litres of illicit liquor from the shop of the co-accused person.

The learned counsel for the petitioner submits that neither any recovery has been made from the conscious possession of the petitioner nor he is the owner of the shop. It is further submitted that barring one similar type of case in which the petitioner is 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 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 06th A.D.J., Saran at Chapra in connection with Mashrakh P.S. Case No. 334 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is further directed that in case the petitioner is implicated henceforth, in any similar type of case, the present privilege of anticipatory bail shall stand cancelled automatically.

(Mohit Kumar Shah, J)

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