

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4544 of 2018

Arising Out of PS.Case No. -247 Year- 2017 Thana -MANJHI District- SARAN

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Bambhola Rai S/o Late Suresh Rai, R/o Village- Kesari, P.S.- Ekama,
District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Choudhary Shyam Nandan

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

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-01-2018 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 Manjhi P.S. Case No. 247 of 2017 registered for the offence punishable under Section 30(a) of the Bihar Excise Act, 2016.

The allegation is regarding recovery of about 14.04 liters of illicit English liquor from the possession of one Deepu Dome, who is said to have disclosed the name of the petitioner herein.

The learned counsel for the petitioner submits that no recovery has been made from the conscious possession of the petitioner herein and in fact on the disclosure made by the said Deepu Dome, the name of the petitioner has transpired in the present case, hence the false implication of the petitioner cannot



be ruled out. The petitioner is stated to be having a clean antecedent. It is further submitted that no case appears to have been made out under the provisions of the Excise Act.

Having regard to the facts and circumstances of the case, more particularly 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 6th A.D.J., Saran at Chapra in connection with Manjhi P.S. Case No. 247 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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