

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3965 of 2018

Arising Out of PS.Case No. -305 Year- 2017 Thana -TAJPUR District- SAMASTIPUR

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Chandan Kumar Giri, Son of Satya Narayan Giri, resident of Village-
Chakpahar, P.S.- Tajpur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

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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 Tajpur P.S. Case No. 305 of 2017 registered for the offence punishable under Sections 30(a) and 47 of the Bihar Prohibition of Liquor and Excise Act, 2016.

The Police during the course of patrolling apprehended one Brajesh Kumar Giri and recovered 30 cartons of illicit foreign liquor from the place of occurrence and the said arrested person disclosed the name of the petitioner as the person who was engaged in the illicit liquor trade.

The learned counsel for the petitioner submits that neither the petitioner has been apprehended from the spot nor any recovery has been made from his conscious possession. 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 Additional Sessions Judge-VI, Samastipur in connection with Tajpur P.S. Case No. 305 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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