

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24242 of 2018

Arising Out of PS.Case No. -56 Year- 2018 Thana -ITADHI District- BUXAR

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1. Ram Babu Bind,
2. Parshuram Bind Both Sons of Ramlal Bind,
3. Subash Bind @ Ram Subash Bind S/o Jhalku Bind, All R/o Vill.-
Rakasia, P.S.- Itarhi, Distt.- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Mr. Sri Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-04-2018 Heard the learned counsel for the petitioner and the learned
counsel for the State.

The petitioners seek anticipatory bail in connection with
Itarhi P.S. Case No.56 of 2018 registered for the offences
punishable under Sections 272, 273, 34 of the IPC an Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 5.760 liters of illicit
liquor from a hut wherein accused person are said to be sitting.

The learned counsel for the petitioner submits that no
recovery has been made from the conscious possession of the
petitioner. It is further submitted that the provision of Section 100
Cr.P.C. has not been complied with, hence the seizure itself is



doubtful and the petitioner is having a fair antecedent.

Considering the nature of accusation leveled against the petitioner herein as also 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.

Accordingly, in the event of arrest or surrender before the concerned court within a period of six weeks from the date of receipt / production of a copy of the preset order, the petitioners above named are directed to be released on anticipatory bail on furnishing bonds of Rs.10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. District & Sessions Judge-II-cum-Special Judge, Excise Act, Buxar in connection with Itarhi P.S. Case No.56 of 2018, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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