

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11748 of 2018

Arising Out of PS.Case No. -193 Year- 2017 Thana -ISUAPUR District- SARAN

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Ajay Prasad @ Ajay Kumar Prasad, s/o Udhav Prasad, r/o vill-Sadhwara,
PS- Ishuapur, Dist- Saran Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjana

For the Opposite Party/s : Mr. Sri Jitendra Kumar Singh

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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 Ishuapur PS case no. 193 of 2017 registered for the offences punishable under Sections 30, 38, 41 of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 1000 ltrs. of raw material and spirit from the house of one co-accused person namely Mukesh Singh.

The learned counsel for the petitioner submits that neither any recovery has been affected from the conscious possession of the petitioner nor the said house from where, the recovery has been made belongs to the petitioner. It is further submitted that barring one case in which, the petitioner is on bail, he is having a fair antecedent. It is further contended that similarly situated co-accused person has already been granted anticipatory bail by this Court by an order dated 30.01.2018 passed in Cr.Misc. no. 3955 of 2018.



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 Chief Judicial Magistrate, Saran at Chapra in connection with Ishuapur PS case no. 193 of 2017 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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