

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9726 of 2018

Arising Out of PS.Case No. -508 Year- 2017 Thana -ALAMGANJ District- PATNA

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Rahul Kumar, Son of Sri Saroj Sao @ Saroj Kumar a Resident of Mohalla-
Gur-ki-Mandi, renter of Bishwanath Yaadv, POLice Station-Alamganj,
District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Arvind Kumar Mouar

For the Opposite Party/s : Mr. Chandrasen Prasad Singh

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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 Special Case No. 9618 of 2017 arising out of
Alamganj P.S. Case No. 508 of 2017 registered for the offence
punishable under Section 30(a) of the Bihar Excise Act.

The allegation is regarding recovery of 14 bottles of illicit
liquor measuring 750 ml. each from the house of the co-accused
person, namely, Saroj Sao and upon interrogation, he disclosed
that his son i.e. the petitioner herein was engaged in the business
of sale and purchase of liquor.

The learned counsel for the petitioner submits that no
recovery has been made from the conscious possession of the



petitioner. The petitioner is said to be having a clean 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 Additional Sessions Judge-IV-cum-Special Judge, Excise Act, Patna in connection with Special Case No. 9618 of 2017 arising out of Alamganj P.S. Case No. 508 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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