

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10616 of 2018

Arising Out of PS.Case No. -167 Year- 2017 Thana -WARSALIGANJ District- NAWADA

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Rahul Kumar Son of Shailendra Singh @ Salo Singh Resident of Village
Mafi, P.S.Warisaliganj, District- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Prasad Singh, Advocate

For the Opposite Party/s : Smt. Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-02-2018 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 Warisaliganj P.S. Case No.167 of 2017
registered for the offence punishable under Section 30(a) of the
Bihar Excise Act, 2016 and Section 120(B)/34 of the Indian
Penal Code.

The allegation is regarding recovery of 320.75 litres
of illicit foreign liquor and 164 litres of illicit country made
liquor from a place situated outside a hotel.

The learned counsel for the petitioner submits that
neither any recovery has been made from the person of the
petitioner nor the field from where the recovery has been effected



belongs to the petitioner nor the hotel belongs to the petitioner. It is further submitted that the petitioner is having clean antecedent.

Considering the nature of accusation and the fact that, prima facie, no case is made out for the offences punishable under 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 A.D.J.-II-cum-Special Judge, Nawada in connection with Warisaliganj P.S. Case No.167 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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