

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11129 of 2018

Arising Out of PS.Case No. -228 Year- 2016 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

=====

RAVI KUMAR PRABHAT @ PRABHAT KUMAR @ RAVI KUMAR
@ BABLU S/o Akshay Lal Sah, R/o Village- Fuliya Khard, Virti Tola,
P.S.- Bairiya, District- West Champaran at Bettiah.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh

For the Opposite Party/s : Mr. Md. Ansarul Haque

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-02-2018 Heard the learned counsel for the petitioner and the
learned counsel for the State.

The petitioner seeks anticipatory bail in connection
with Bairiya PS case no. 228 of 2016 registered for the offences
punishable under Sections 41(1), 41(2) of the Bihar Prohibition
and Excise Act.

The allegation is regarding recovery of 36 liters of
illicit liquor from the Motorcycle of co-accused person. It is
alleged that the said co-accused person apprehended at the spot,
disclosed that the motorcycle was being driven by the petitioner.

The learned counsel for the petitioner submits that
neither the alleged recovery of illicit liquor belongs to the



petitioner nor any recovery has been made from the petitioner nor the said motorcycle recovered by the police is of the petitioner and the petitioner is having a clean antecedent.

Considering the nature of accusation levelled 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 present order, the petitioner above named is directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, West Champaran at Bettiah in connection with Bairiya PS case no. 228 of 2016, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

BTiwary/-

U		T	
---	--	---	--

