

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11550 of 2018

Arising Out of PS.Case No. -382 Year- 2017 Thana -PATNA CITY CHOWK District- PATNA

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Arvind Yadav @ Jugar @ Indrajeet Kumar, Son of Ram Babu Rai, Resident
of Village-Kila ghat, Nepali Kothi, P.S.-Chowk, District-Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Shekhar

For the Opposite Party/s : Mr. Zainul Abedin

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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 Chowk P.S. Case No.382 of 2017 registered
for the offence punishable under Section 30(a) of Bihar
Prohibition and Excise Act.

The allegation is regarding recovery of small
quantity of illicit liquor from a shop and house which does not
belong to the petitioner and thereafter, small quantity liquor is
said to have been recovered from a place situated in front of the
party office which is said to have been belonging to the petitioner
herein.

The learned counsel for the petitioner submits that



no recovery has been made from the conscious possession of the petitioner and moreover, the provision of Section 100 Cr.P.C. has not been complied, hence the entire seizure list is itself doubtful.

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 even 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 Additional District and Sessions Judge-IV-cum-Special Judge N.I.A. Special Judge, Excise Act, Patna in connection with Chowk P.S. Case No.382 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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