

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12031 of 2018

Arising Out of PS.Case No. -307 Year- 2017 Thana -ROHTAS District- SASARAM (ROHTAS)
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1. Soni Choudhary, S/o Late Ram Nath Choudhary, Resident of Village-Sundarganj, P.S.- Rohtas District- Rohtas at Sasaram.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh

For the Opposite Party/s : Mr. Sri Sanjay 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 Rohtas PS case no. 307 of 2017 registered for the offences punishable under Section 30(A), 34, 37(A) of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 15 ltrs. of mahua wine from the possession of three co-accused persons and the said co-accused persons are said to have named the petitioner herein as one of their accomplice.

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 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 Additional Sessions Judge-II-cum-Special Judge (Excise), Rohtas at Sasaram in connection with Rohtas PS case no. 307 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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