

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10502 of 2018

Arising Out of PS.Case No. -176 Year- 2017 Thana -SIDHWALIA District- GOPALGANJ

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1. Rakesh Kushwaha @ Rakesh Kumar S/o Sri Rajendra Kushwaha, R/o
Village- Panditpur, P.S.- Sidhwalia, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyama Kant Singh

For the Opposite Party/s : Mr. Madan Kumar

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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 Sidhwalia P.S. Case No.176 of 2017
registered for the offence punishable under Section 30(a) of Bihar
Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 135 litres of
illicit liquor from the bushes situated in front of the house of one
Binda Bhagat.

The learned counsel for the petitioner submits that
neither any recovery has been effected from the conscious
possession of the petitioner nor from the house of the petitioner
herein. 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, Gopalganj in connection with Sidhwalia P.S. Case No.176 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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