

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10896 of 2018

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Raushan Kumar, Son of Sri Mithilesh Prasad, Resident of Village- Bari Mahuri, P.s.- Harnaut, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar Singh

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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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 counsel for the State.

The petitioner seeks anticipatory bail in connection with Harnaut P.S. Case No. 06 of 2018 registered for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 33 of the Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 150 liters of spirit from a car which was apprehended by the police.

The learned counsel for the petitioner submits that neither any recovery has been effected from the person of the petitioner nor the car belongs to 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 A.D.J. VI cum Special Judge, Excise Nalanda Biharsarif in connection with Harnaut P.S. Case No. 06 of 2018, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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