

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12488 of 2018

Arising Out of PS.Case No. -118 Year- 2017 Thana -LAUKARIA District-
WESTCHAMPARAN(BETTIAH)

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1. Suresh Bin, son of Chandar Bin, Resident of Village- Semari Dih, Tola-
Dumari, P.S.- Balmikinagar, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary

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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 Laukariya PS case no. 118 of 2017 registered for the
offences punishable under Sections 30(a) of Bihar Prohibition and
Excise Act, 2016.

The allegation is regarding recovery of 7 ltrs. of illicit
liquor from a motorcycle being driven by the co-accused person namely
Wakil Nishadh.

The learned counsel for the petitioner submits that
neither any recovery has been made from the conscious possession of
the petitioner nor the said motorcycle belongs to the petitioner. It is
further submitted that the petitioner has 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 Special Judge (Excise), West Champaran at Bettiah in connection with Laukariya PS case no. 118 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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