

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24676 of 2018

Arising Out of PS.Case No. -86 Year- 2017 Thana -RAGHUNATHPUR District- SIWAN

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1. Sunil Singh, S/o Raghunath Singh, R/o Village- Gabhirar, P.S.-
Raghunathpur, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Rai

For the Opposite Party/s : Mr. Smt. Anusuiya Jaiswal

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 26-04-2018 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 Raghunathpur case no. 86 of 2017 registered
for the offences punishable under Sections 272, 273, 308 of Indian
Penal Code and 30, 38 of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 127.920 ltrs.
of illicit liquor from the toilet of a school.

The learned counsel for the petitioner submits that
neither any recovery has been made from the conscious possession
of the petitioner nor the school belongs to him. It is further
submitted that provision of Section 100 of Code of Criminal
Procedure has not been complied while preparing seizure list,



hence the entire seizure stands vitiated. 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 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 Addl. District & Sessions Judge-2nd, Siwan in connection with Raghunathpur PS case no. 86 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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