

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32132 of 2018

Arising Out of PS.Case No. -361 Year- 2017 Thana -FATUHA District- PATNA

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1. Pawan @ Pawan Kumar @ Akash Kumar S/o Ram Pd. Rai@ Ram Pd.
Yadav Resident of Village Kripal Tola, P.S. Fatuha, Distt. Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tilak Sao

For the Opposite Party/s : Mr. Dr. Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 23-05-2018 Heard learned Counsel for the petitioner and the learned
Counsel for the State.

Petitioner apprehends arrest in Fatuha PS Case No. 361 of 2017, Special Case No. 5350 of 2017, registered under Sections 120B of the IPC and Section 30(b) of Bihar Prohibition Excise Act.

Learned Counsel for the petitioner submits that neither the petitioner was apprehended on the spot nor there is no recovery of illicit liquor from his possession and the recovery is from the pick up van when three persons were apprehended, the petitioner is not owner of the vehicle, the apprehended persons have disclosed name of the petitioner and others stating that they escaped away so no prima facie case of Excise Act is made out against the petitioner, he bears clean antecedent and similarly situated another co-accused Ramesh Kumar has been admitted to anticipatory bail by a coordinate Bench of this Court vide Cr. Misc. No. 19187 of 2018.

Having considered the said facts and circumstances, the petitioner Pawan @ Pawan Kumar @ Akash Kumar is directed to be released on anticipatory bail in the event of his arrest or surrender within a period of four weeks from today on furnishing bail bonds of



Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise Act, Patna in connection with Fatuha PS Case No. 361 of 2017, Special Case No. 5350 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Arun Kumar, J)

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