

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58062 of 2017

Arising Out of PS. Case No.-525 Year-2017 Thana- GOVT. OFFICIAL COMPLAINT CASE
District- Sheikhpura

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Rasho Ram, Son of Late Ratan Ram, Resident of Village-Mirjapur, P.S.
Barbigha, District- Sheikhpura.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh
For the Opposite Party/s : Mr. SMT. SHARDA KUMARI

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 31-01-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Excise Case No. 525 C-2 of 2017, registered under Section 30(a) of
the Bihar Prohibition of Excise Act.

The accusation is that in course of raid of the house of
the petitioner, three liters of country made liquor was recovered to
the house of the petitioner, while petitioner was not found at his
house.

Learned counsel for the petitioner submits that earlier
the prayer for pre-arrest bail was dismissed as withdrawn due to
maintainability of the application under Section 438 (2) of Cr.P.C.,
but now the anticipatory bail is maintainable against the prosecution
launched for commission of offence under Bihar Prohibition of



Excise Act, 2016 vide order dated 10.08.2017 passed in Criminal Miscellaneous No. 21578 of 2017. Further submission is that it would appear from the F.I.R. that the alleged country made liquor has not been recovered from the possession of the petitioner. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge-cum-Special Judge-I, Sheikhpura in connection with Excise Case No. 525 C-2 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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