

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12471 of 2018

Arising Out of PS.Case No. -214 Year- 2017 Thana -ANDER District- SIWAN

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1. Harendra Chaudhary Son of Late Sitaram Chaudhary Resident of
Village-Panchbarva P.S.-Aandar District-Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. Sri Atul Chandra

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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 Aandar PS case no. 214 of 2017 registered for the
offences punishable under Sections 272, 273, 308 of Indian Penal Code
and 30(A) of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 75 ltrs. of illicit
mahua liquor from the house of one Surendra Chaudhary and the
petitioner is stated to be his brother.

The learned counsel for the petitioner submits that
neither any recovery has been made from the conscious possession of
the petitioner nor the said house belongs to the petitioner since the
petitioner is staying elsewhere apart from his brother. 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 Additional District & Sessions Judge-IIInd, Siwan in connection with Andhar PS case no. 214 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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