

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12072 of 2018

Arising Out of PS.Case No. -322 Year- 2017 Thana -TAJPUR District- SAMASTIPUR

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1. Gaurav Kumar S/o Manoj Das, R/o Village- Waini, P.S.- Waini, O.P.,
District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhirendra Kumar

For the Opposite Party/s : Mr. Sri Surendra Kumar

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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 Tajpur (Waini O.P.) PS case no. 322 of 2017 registered for the offences punishable under Sections 272, 273 of Indian Penal Code and 30(a) of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 18.375 ltrs. of illicit liquor from the orchard of co-accused namely Nitesh Kumar.

The learned counsel for the petitioner submits that neither any recovery has been effected from the conscious possession of the petitioner nor the said orchard 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 A.D.J. 1st, Samastipur in connection with Tajpur (Waini O.P.) PS case no. 322 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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