

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10885 of 2018

Arising Out of PS.Case No. -437 Year- 2017 Thana -FATUHA District- PATNA

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Tarak Nath Sharma, S/o Late Lakshmi Narayan Sharma, Resident of
Village- Ritudih (Telabari), P.S.- Marafari, Divandih, District- Bokaro
(Jharkhand).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha

For the Opposite Party/s : Mr. Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-02-2018 Heard the learned counsel for the petitioner and the

learned counsel for the State.

The petitioner seeks anticipatory bail in connection
with Fatuha P.S. Case No. 437 of 2017 registered for the offences
punishable under Sections 120(B) of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise Act.

The allegation is regarding recovery of 8 liters of illicit
liquor from a truck standing near the river.

The learned counsel for the petitioner submits that
though the petitioner is the owner of the said truck, but the same
was not being driven by him. It is further submitted that the
petitioner is having a clean antecedent.

Considering the nature of accusation levelled against



the petitioner herein as also the fact that prima facie no case is made out under the provisions of the Excise Act, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender before the concerned court within a period of six weeks from the date of receipt/production of a copy of the present order, the petitioner above named is directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Patna in connection with Fatuha P.S. Case No. 437 of 2017, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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