

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10643 of 2018

Arising Out of PS.Case No. -197 Year- 2017 Thana -KHAIRA District- JAMUI

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Krishna Yadav S/o Nateshwar Yadav, R/o Village- Karkati, P.S.- Khaira,
District- Jamui.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Smt. Madhuri Lata

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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 A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Khaira P.S. Case No.197 of 2017 registered
for the offence punishable under Sections 272, 273 of the Indian
Penal Code and Section 30(a) of Bihar Excise and Prohibition
Act, 2016.

The allegation is regarding recovery of 100 litres of
illicit liquor from the Tata Maxico Mini Bhan.

The learned counsel for the petitioner submits that
no recovery has been effected from possession of the petitioner
and moreover, though the vehicle belongs to the petitioner but he
had given it on hire, hence, he is not responsible for the alleged



recovery. It is further submitted that the petitioner is having clean antecedent.

Considering the nature of accusation and the fact that, prima facie, no case is made out for the offences punishable under the Excise Act, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail, in the even 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 on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Jamui in connection with Khaira P.S. Case No.197 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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