

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10399 of 2018

Arising Out of PS.Case No. -160 Year- 2017 Thana -SIMRA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Rambhawan Gond, S/o Paspat Gond,
 2. Ramawati Devi @ Jhagiya Devi @ Thagiya Devi W/o Rambhawan Gond, Both R/o Village- Binwalia, P.S.- Semara, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-02-2018 Heard the learned counsel for the petitioners and
the learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Semara P.S. Case No.160 of 2017 registered
for the offence punishable under Section 30A of Bihar
Prohibition and Excise Act, 2016

The allegation is regarding recovery of 3 litres of
illicit liquor from the house of the petitioner and 75 litres of
solution of jiggery from a place situated behind the house of the
petitioners.

The learned counsel for the petitioners submits that
the compliance of Section 73 of the Excise Act has not been



made apart from non-compliance of Section 100 Cr.P.C. It is further submitted that the said recovery has not been effected from the persons of the petitioners herein. It is further submitted that the petitioners are 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 petitioners herein to the privilege of anticipatory bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of Special Judge, Excise, Bettiah, West Champaran in connection with Semara P.S. Case No.160 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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