

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11466 of 2018

Arising Out of PS.Case No. -189 Year- 2017 Thana -AURAI District- MUZAFFARPUR

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Nunu Sah @ Sanjiv Kumar @ Munna Sah Son of Raj Mangal Sah, Resident
of Village-Kataujha, P.S.-Aurai, District-Muzafarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

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 A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Aurai P.S. Case No.189 of 2017 registered for
the offence punishable under Sections 272, 273/34 of the Indian
Penal Code and Sections 30(A), 35(A) and 38 of the Bihar
Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 21 litres of
illicit foreign liquor from a gunny bag said to have been
concealed in a garlic field.

The learned counsel for the petitioner submits that
neither any recovery has been made from the conscious
possession of the petitioner nor the said garlic field belongs to the



petitioner. 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 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 on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of 3rd Additional Sessions Judge-cum-Special Judge, Excise Act, Muzaffarpur in connection with Aurai P.S. Case No.189 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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