

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3939 of 2018

Arising Out of PS.Case No. -334 Year- 2017 Thana -DIGHA District- PATNA

=====

Gaurav Raj, Son of Kameshwar Singh, resident of Village- Makhdumpur
Gate No. 90, Police Station- Digha, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-01-2018 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 Digha P.S. Case No. 334 of 2017 registered for the offence punishable under Sections 30(a) and 38(1) of the Bihar Excise and Prohibition Act.

The allegation is regarding the Police recovering 48 liters of illicit liquor from the dickey of the car and in the car, the driving license of the petitioner was found.

The learned counsel for the petitioner submits that neither any recovery has been made from the conscious possession of the petitioner nor the car is said to have been registered in the name of the petitioner at the time of the alleged occurrence. It is further submitted that there is no compliance of Section 100 of the



Cr.P.C. The petitioner is stated to be having a clean antecedent.

Having regard to the facts and circumstances of the case, more particularly the fact that prima facie no case appears to have been 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, 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 learned Additional District and Sessions Judge-VIII-cum-Special Judge, Excise Act, Patna in connection with Digha P.S. Case No. 334 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

S.Sb/-

U		T	
---	--	---	--

