

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11608 of 2018

Arising Out of PS.Case No. -274 Year- 2017 Thana -HUSAINGANJ District- SIWAN

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Pramod Yadav, S/o- Gautam Rawat, resident of Village- Telkathu, P.S.-
M.H. Nagar, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam

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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 Hussainganj (M.H. Nagar) PS case no. 274 of 2017 registered
for the offences punishable under Sections 272/273 of the Indian
Penal Code and Section 30/41(i) of the Bihar Prohibition and
Excise Act.

The allegation is regarding recovery of 1 liter of illicit
liquor from the co-accused persons apprehended from the alleged
place of occurrence and they are said to have disclosed that they
had purchased the said illicit liquor from the petitioner.

The learned counsel for the petitioner submits that
neither any recovery has been made from the conscious possession



of the petitioner nor the petitioner is acquainted with the said co-accused persons and 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 Additional Sessions in connection with Hussainganj (M.H. Nagar) PS case no. 274 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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