

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11125 of 2018

Arising Out of PS.Case No. -174 Year- 2017 Thana -MAHUA District- VAISHALI(HAJIPUR)

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1. Navin Chaurasia, S/o Laxmi Chaurasia @ Laxmi Bhagat, resident of
Village- Sherpur Chhatwara, P.S.- Mahua, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha

For the Opposite Party/s : Mr. Sri Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-02-2018

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 Mahua PS case no. 174 of 2017 registered for the
offences punishable under Sections 414 of Indian Penal Code and 30-A,
32(ii), 38(ii), 41(i) of Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 70.56 ltrs. of
illicit liquor from a Xylo car.

The learned counsel for the petitioner submits that
neither any recovery has been made from the conscious possession of
the petitioner nor the said car belongs to the petitioner as has been
stated in para 9 of the present petition. It is further submitted that the
petitioner has a clean antecedent.



Considering the nature of accusation and the fact that prima facie, no case is made out under the provisions of the Excise Act, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, 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, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-IIInd-cum-Special Judge, Vaishali at Hajipur in connection with Mahua PS case no. 174 of 2017 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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