

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10947 of 2018

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Amarjeet Yadav @ Amarjeet Kumar, Son of Upendra Yadav, Resident of
Village- Badia Patelia, P.S.- Bibhutipur, Dist- Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha

For the Opposite Party/s : Smt. Reena Sinha

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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 Bibhutipur P.S. Case No. 294 of 2017 registered for the
offences punishable under Sections 30(a) of the Bihar Prohibition
and Excise Act.

The allegation is regarding recovery of .750 liters of
illicit liquor from the house of the petitioner.

The learned counsel for the petitioner submits that no
recovery has been effected from the person of the petitioner and in
fact the provision of Section 100 Cr. P.C. has not been complied
with while preparing the seizure list, hence the seizure itself is
doubtful. 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 Special Judge, Excise Act, Darbhanga in connection with Bibhutipur P.S. Case No. 294 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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