

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10216 of 2018

Arising Out of PS. Case No.-384 Year-2017 Thana- TAJPUR District- Samastipur

Harishchandra Singh @ Bidhayak, Son of Ram Pratap Singh @ Vishnudev Singh, resident of Village- Fatehpur, P.S.- Musarigharari, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy

For the Opposite Party/s : Mr. MD. ANZARUL HAQUE SAHARA

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 Tajpur P.S. Case No. 384 of 2017 registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Sections 30(a), 41(1) (ii) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 191 litres of illicit liquor from the co-accused persons who are said to have named the petitioner herein.

The learned counsel for the petitioner submits that neither any recovery has been made from the person of the petitioner nor from his house. It is further submitted that the co-accused persons have already been granted bail.



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 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 Sessions Judge-VI-cum-Special Judge, Excise Act, Samastipur in connection with Tajpur P.S. Case No. 384 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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