

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25108 of 2018

Arising Out of PS.Case No. -343 Year- 2017 Thana -BIKRAMGANJ District- SASARAM
(ROHTAS)

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Vikash Kumar, Son of Sri Komal Prasad Sah @ Komal Pd. Sah @ Komal Sah, Resident of Village- Morauna, P.S.- Bikramganj, Dist.- Rohtas.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha

For the Opposite Party/s : Mr. Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 26-04-2018 Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks anticipatory bail in connection with Bikramganj P.S. Case No. 343 of 2017 for the offences punishable under Sections 272, 273 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act, 2016.

Allegation is regarding recovery of 13 liter of illicit liquor from the house of the father of the petitioner.

The learned counsel for the petitioner submits that no recovery has been made from conscious possession of the petitioner. It is further submitted that the provisions of Section 100 of the Code of Criminal Procedure has not been complied with, hence the seizure itself is doubtful. It is further submitted that



father of the petitioner has already been granted regular bail by the learned court below.

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, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, the petitioner, above named, is directed to be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Session Judge-II-cum- Special Judge (Excise), Rohtas at Sasaram in connection with Bikramganj P.S. Case No.343 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Mohit Kumar Shah, J)

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