

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3970 of 2018

Arising Out of PS.Case No. -205 Year- 2017 Thana -JANDAHA District- VAISHALI(HAJIPUR)

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DEEPAK PASWAN @ DEEPAK KUMAR PASWAN @ DEEPAK KUMAR S/o Late Ram Awtar Paswan R/o Village - Bahsi Damodar, P.S. - Jandaha, District - Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mrs. Rina Sinha

For the Opposite Party/s : Mr. Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-01-2018 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 Jandaha P.S. Case No. 205 of 2017 registered for the offence punishable under Sections 30(a) of the Bihar Excise Amendment Act, 2016.

The allegation is regarding recovery of six liters of illicit liquor from a motorcycle and the name of the petitioner has transpired on the disclosure made by the Chaukidar of the village that the person, who was driving the said motorcycle, was the petitioner herein.

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



of the petitioner nor the motorcycle belongs to the petitioner. The petitioner is stated to be having a clean antecedent. It is further submitted that no case appears to have been made out under the provisions of the Excise Act.

Having regard to the facts and circumstances of the case, more particularly 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 Session Judge-II, Vaishali at Hajipur in connection with Jandaha P.S. Case No. 205 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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