

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34514 of 2018

Arising Out of PS.Case No. -470 Year- 2017 Thana -BAKHTIYARPUR District- PATNA

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1. Sadhu Kumar, Son of Paras Mahto, Resident of Naya Tola Bariyarpur,
P.S.- Bakhtiarapur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niranjan Pd. Singh

For the Opposite Party/s : Mr. Sri Anuj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 20-06-2018

Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Special Case No. 7477 of 2017 arising out of Bakhtiyarpur P.S. Case No. 470 of 2017, disclosing offences under Sections 30(a) and 37(a)(c) of the Bihar Excise Prohibition Act.

Learned counsel for the petitioner has submitted that the petitioner, who is of clean antecedent, is innocent and has not committed any offence. In fact, the petitioner has been made accused in this case on the basis of confessional statement of the co-accused and the alleged recovery of country-made liquor was made from the side of transformer, which is evident from seizure



list and the petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. Hence, the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Special Case No. 7477 of 2017 arising out of Bakhtiyarpur P.S. Case No. 470 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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