

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4377 of 2018

Arising Out of PS.Case No. -368 Year- 2017 Thana -GOVERNMENT OFFICIAL COMP. District-
MUZAFFARPUR

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Sanjeet Kumar @ Sanjeet Singh son of Jawahar Singh @ Jawaharlal Singh,
resident of village-Bariyarpur, P.S. Sakra, District-Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Hari Kishore Thakur

For the Opposite Party/s : Smt. Suman Kumari Singh

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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 P.R. Case No.41/17-18 arising out of Excise Case No. 368 of 2017 registered for the offence punishable under Sections 30(a), 32 and 38 of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 71.64 liters of illicit liquor from a husk house.

The learned counsel for the petitioner submits that neither the said husk house belongs to the petitioner herein nor any recovery has been made from the conscious possession of the petitioner herein. It is further submitted that the provisions of Section 100 Cr.P.C. has not been complied with.



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 Special Judge, Excise Act, Muzaffarpur in connection with P.R. Case No. 41/17-18 arising out of Excise Case No. 368 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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