

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12568 of 2018

Arising Out of PS.Case No. -344 Year- 2017 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

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Motilal Sah S/o Lt. Madholal Sah, R/o village-Ekaderwa P.S. Raxaul
(Haraya O.P.), District-East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr. Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-02-2018 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 Raxaul P.S. Case No. 344 of 2017 registered for the offence punishable under Section 30(A) of the Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 67.8 liters of illicit Nepali Saufi wine from two abandoned motorcycles.

The learned counsel for the petitioner submits that neither any recovery has been made from the conscious possession of the petitioner nor the said motorcycles belong to the petitioner herein. The petitioner is said to be having a clean antecedent.

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 7th Additional Session Judge, East Champaran at Motihari in connection with Raxaul P.S. Case No. 344 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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