

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10500 of 2018

Arising Out of PS.Case No. -19 Year- 2018 Thana -MADHEPURA District- MADHEPURA

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1. Santosh Mukhiya S/o Baidhyanath Mukhiya, R/o Villaeg- Dular, Ward No.13, P.S.- Gamharia, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Rajballabh Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-02-2018

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 Madhepura P.S. Case No.19 of 2018 registered for the offence punishable under Section 30(a) of the Bihar Prohibition Excise Act, 2016.

The allegation is regarding recovery of 181 litres of illicit liquor from a Bolero Pick Up Van.

The learned counsel for the petitioner submits that neither any recovery has been effected from the person of the petitioner nor the Bolero belongs to him. It is further submitted that the petitioner is having clean antecedent.

Considering the nature of accusation and the fact



that, prima facie, no case is made out for the offences punishable under 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 Additional District and Sessions Judge-IIIrd-cum-Special Judge, Excise, Madhepura in connection with Mahdepura P.S. Case No.19 of 2018, 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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