

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10510 of 2018

Arising Out of PS.Case No. -386 Year- 2017 Thana -TAJPUR District- SAMASTIPUR

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1. Dashrath Rai S/o Sri Mahendra Rai, R/o Vill.- Murgiyachak, Kashrahi,
P.S.- Patepur, Distt.- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Anand Kishore Choudhary

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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 Tajpur (Halai) P.S. Case No.386 of 2017
registered for the offence punishable under Sections 272, 273,
279, 353 & 427 of the Indian Penal Code and 30(a) of Bihar
Prohibition and Excise Act, 2016.

The allegation is regarding recovery of 119.7 litres
of illicit liquor from two co-accused persons and they are said to
have disclosed the name of the petitioner herein.

The learned counsel for the petitioner submits that
no recovery has been effected from the person of the petitioner. 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 A.D.J., VI cum Special Judge, Samastipur in connection with Tajpur Halai P.S. Case No.386 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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