

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11113 of 2018

Arising Out of PS.Case No. -363 Year- 2017 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

=====

Sonu Chaudhary S/o Bidya Chaudhary, R/o Village- Bagahi, Neemiya Tola,
P.S.- Bairiya, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Ashok Kumar Singh 1

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-02-2018 Heard the learned counsel for the petitioner and the
learned counsel for the State.

The petitioner seeks anticipatory bail in connection
with Bairiya PS case no. 363 of 2017 registered for the offences
punishable under Sections 30(A) of the Bihar Prohibition and
Excise Act.

The allegation is regarding recovery of 9 liters of illicit
liquor from the the house of the petitioner.

The learned counsel for the petitioner submits that
neither any recovery has been effected from the possession of the
petitioners nor there is any compliance of Section 100 Cr. P.C.,
hence the entire seizure itself is doubtful and has been vitiated and
the petitioner is having a clean antecedent.



Considering the nature of accusation levelled against the petitioner herein as also 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.

Accordingly, in the event of arrest or surrender before the concerned court within a period of six weeks from the date of receipt/production of a copy of the present order, the petitioner above named is directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Bettiah, West Champaran in connection with Bairiya PS case no. 363 of 2017, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

BTiwary/-

U		T	
---	--	---	--

