

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 33102 of 2018

Arising Out of PS. Case No.-64 Year-2018 Thana- Bakhri District- Begusarai

Parvej Khalipha son of Babalu Khalipha, Resident of Asha Pokhar, Ward No. 11, Police Station- Bakhari, District Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 26-06-2018 Heard Sri Ashok Kumar Jha, learned counsel for the petitioner and Sri D.P.Tiwary, learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Bakhari P.S. Case No. 64 of 2018 registered for offence under Section 30(a) of the Bihar Prohibition and Excise Act, 2016, has prayed for grant of bail in the event of his arrest or surrender.

Learned counsel for the petitioner, at the very outset, has drawn my attention to statement made in paragraph – 3 of the petition to show that petitioner is having clean antecedent. It has also been argued that unauthorizedly the police without any rhyme and reason had conducted raid in the house of the petitioner and it was shown, as if, Indian make foreign liquor weighing only 700 ml. containing in three bottles were recovered and petitioner has been made accused. It has also



been argued that seizure list was not prepared in accordance with law and none of the local persons were introduced as witness to the seizure list.

Be that as it may, considering the fact that petitioner is having clean antecedent as well as so called weight of allegedly recovered liquor, there is no reason to refuse the prayer for anticipatory bail.

Accordingly, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner namely Parvej Khalipha be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge II-cum-Special Judge, Excise, Begusarai in connection with Bakhari P.S. Case No. 64 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

anay

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

