

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24790 of 2018

Arising Out of PS.Case No. -65 Year- 2018 Thana -NOKHA District- SASARAM (ROHTAS)

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1. Ravindra Singh, S/o Late Mukh Lal Singh,
2. Lal Babu Shah S/o Baduri Shah, Both are R/o Vill.- Chabilapur, P.S.-
Nokha, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh

For the Opposite Party/s : Mr. Smt Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 26-04-2018 Heard the learned counsel for the petitioners and the

learned A.P.P. for the State.

This is an application for grant of anticipatory bail

in connection with Nokha PS case no. 65 of 2018 registered for

the offences punishable under Section 30(a) of Bihar Prohibition

and Excise Act, 2016.

The allegation is regarding recovery of 45 ltrs. of

illicit liquor from the hay heap lying in the open field of the

petitioner herein.

The learned counsel for the petitioners submits that

neither any recovery has been made from the conscious possession

of the petitioners nor the provision of Section 100 of Code of

Criminal Procedure has been complied while preparing seizure



list, hence the entire seizure stands vitiated. It is further submitted that the petitioners are having clean antecedents.

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 appropriate to admit the petitioners to the privilege of anticipatory bail. Accordingly, the abovenamed petitioners, in the event of their 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, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of Addl. District & Sessions Judge-II-cum-Special Judge (Excise), Rohtas at Sasaram in connection with Nokha PS case no. 65 of 2018 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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