

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16227 of 2019

Arising Out of PS. Case No.-11 Year-2005 Thana- GOVERNMENT OFFICIAL COMP.
District- West Champaran

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PRADEEP SAHU @ PRADEEP KUMAR Son of Late Prahlad Sahu @
Prahlad Prasad R/o Mohalla- Chanpatiya Bazar, P.S- Chanpatiya, District-
West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 02-05-2019 This application, for grant of anticipatory bail, arises

out of Tr. No. 289/2018 (Arising out of Excise Case No. 11 of
2005), disclosing offences under Sections 47(a) of Prohibition
of Excise Act.

Allegation is of recovery of 40 litres of liquor from
the rented shop of the petitioner.

Submission of learned counsel for the petitioner is
that he has falsely been implicated in this case and in fact
nothing has been recovered from the possession or from the
house of the petitioner rather recovery has been made from the
shop, which has been given by the petitioner on rent. Further
submission is that the petitioner was no earlier aware of the case
as summons were issued in the year 2018 and earlier a non



bailable warrant was also issued but that is in the year 2016.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge -V-cum- Special Judge, Excise, Bettiah, West Champaran, in connection with Tr. No. 289/2018 (Arising out of Excise Case No. 11 of 2005), subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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