

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77492 of 2018

Arising Out of PS. Case No.-678 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.
District- Supaul

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Ramesh Yadav @ Ramesh Kumar Bharti S/o Late Mahadeo Yadav, R/o Vill.-
Manganj, Ward No. 8, P.S.- Jadia, District- Supaul.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 17-01-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Misc. Excise Case No. 678 of 20-17 registered under Sections
30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submitted that
though the petitioner has been made accused in the complaint,
but from the prosecution report dated 15.09.2017 sent to the
court, which was seen by the learned Sub-Judge on 17.03.2018,
it would appear that no allegation has been made against the
petitioner except that where his name has been given, the word
farar (absconder) has been stated. It is not stated in the
complaint that any recovery was made from the house of the



petitioner or he absconded from the place where the search and seizure was made. In absence of any allegation in the complaint, no offence, whatsoever, is made out against the petitioner.

Learned counsel for the State opposed the application for grant of pre-arrest bail. However, he could not point out anything from the complaint which would show that any allegation has been made against the petitioner in the prosecution report.

In view of the submissions made by the learned counsel for the parties, in the event of arrest or surrender before the court below, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge, Excise, Supaul in connection with Misc. Excise Case No. 678 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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