

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28997 of 2019

Arising Out of PS. Case No.-451 Year-2018 Thana- BARACHATTI District- Gaya

Navlesh Kumar, aged about 25 years (Male), Son of Ram Das Yadav,
Resident of Village - Bara Mohanpur, P.O. and P.S.- Mohanpur, District -
Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar

For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 02-05-2019 Heard learned counsel for the petitioner and
learned counsel for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Barachatti (Mohanpur) P.S. Case No.
451 of 2018, registered for the offence under Sections 30(d) of
the Bihar Prohibition and Excise Act, 2016.

Allegation has been made that from the motor-
cycle of the petitioner 100 kg. of Mahua has been recovered.

Learned counsel for the petitioner submits that
unless it is prevented, it will not be an intoxicant, it can be used
by the human for fodder. He further submits that the petitioner
has no criminal antecedent.

Considering the entire facts and circumstances of



the case, let the above-named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Special Judge, Excise Act, Gaya, in connection with Barachatti (Mohanpur) P.S. Case no. 451 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

However, at the time of accepting bail bonds, the court below would verify and assure itself regarding the criminal antecedent of the petitioner. If he is having clean antecedent, then his bail bond would be accepted. If he is found to be involved in any other case before filing of this application i.e. 01.05.2019 then his bail bond would not be accepted.

(Shivaji Pandey, J)

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