

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72851 of 2019

Arising Out of PS. Case No.-256 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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Raju Ray S/o Balister Ray Resident of Village and P.S.- Baikunthpur, District-
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harendra Prasad, Advocate
For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-11-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Excise Case No. 256 of 2019 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The allegation is regarding recovery of 490 liters of spirit from a field.

Learned counsel for the petitioner submits that the petitioner is having a clean antecedent, no recovery has been made from his house and the spirit does not belong to the petitioner. It is submitted that the petitioner has been falsely implicated in the present case and there is no material to connect



the petitioner with the alleged crime, hence no offence is made out under the provisions of the Bihar Prohibition and Excise Act, 2016.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner above named, in the event of his 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, is directed to be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of 2nd Additional District Judge-cum-Special Judge, Excise, Gopalganj in connection with Excise Case No. 256 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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