

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82109 of 2019

Arising Out of PS. Case No.-193 Year-2019 Thana- MAIRWAN District- Siwan

BHOLA PASI S/o- Nathuni Pasi @ Nathuni Chudhari Resident of Village-
Bishunpura, P.S.- Mairwa, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhakar Singh

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-12-2019 Heard the 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 Mairwa PS case no. 193 of 2019 registered
for the offences punishable under Sections 30 (a), 38(i), 41(i) of
Bihar Prohibition and Excise Act, 2016.

The allegation is regarding recovery of jaggery
and ammonium chloride from behind the house of five accused
persons.

The learned counsel for the petitioner submits
that as far as the petitioner is concerned, no recovery has been
made either from his house or from his possession, hence the
provisions of the Bihar Prohibition and Excise Act, 2016 is not
attracted. It is further submitted that the petitioner has been



falsely implicated in the present case and is having a clean antecedent.

Having regard to the facts and circumstances of the case, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, 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/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-IIInd-cum-Special Judge, Excise, Siwan in connection with Mairwa PS case no. 193 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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