

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51602 of 2021

Arising Out of PS. Case No.-80 Year-2020 Thana- PAHARPUR District- East Champaran

NAKCHHOLAN DAS Son of Nagina Das Resident of Village - Math
Lohiyar Bhagtaha Tola, P.S.- Harsidhi, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Tapeshwar Sharma

**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 16-02-2022 Heard both the parties through video conferencing.

The petitioner seeks bail in anticipation of his arrest in connection with Paharpur P.S. Case No.80 of 2020 instituted for the offences under Sections 30(a), 36 of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that the petitioner was not found at the place of incident nor motorcycle was recovered. The allegation against the petitioner is based on the statement of other persons, who are villagers without being any cogent information.

I have considered the submission.

Taking into consideration that prima facie no section 30(a) of the Excise Act is made out against the petitioner, I am



inclined to grant anticipatory bail to the petitioner and in the event of arrest, he shall be released on bail subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sanjeev Prakash Sharma, J)

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