

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 72277 of 2018

Arising Out of PS. Case No.-9 Year-2017 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

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Arayan @ Aryan Kumar @ Ravi Raj @ Aryan Raj, Son of Sri Ajay Mishra,
resident of Hanuman Nagar, P.S. Patrakar Nagar District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Economic Offence Unit.

... .. Opposite Party/s

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For the Petitioner/s :	Mr. Mithilesh Kumar
For the Opposite Party/s :	Mr. Smt. Sharda Kumari

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CORAM: HONOURABLE MR JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 11-12-2018

Heard learned counsel for the petitioner and Mr Akhileshwar Prasad Singh, learned Senior Counsel appearing on behalf of the Economic Offences Unit.

The petitioner seeks bail in Economic Offence Police Station Case No 9 of 2017, Special Case No 2032 of 2017 registered under Sections 30 (a), 38, 41 of Bihar Prohibition of Excise Act and Sections 420 and 120B of Indian Penal Code .

The police intercepted a Maruti Zen car and apprehended Prakash Kumar, the driver of the vehicle. 48 bottles, each containing 750 ml, were recovered from the vehicle. Prakash Kumar disclosed the name of the petitioner and others and stated that all are indulged in selling illicit liquor. The house of one Dr Uprendra Narayan Singh situated in Chitragupt Nagar was searched and huge quantity of Indian



made foreign liquor of different brands were recovered.

Learned counsel for the petitioner submits that the petitioner was not apprehended at the house of Dr Upendra Narayan Prasad Singh. Co-accused disclosed the name of the petitioner. Save and except this fact, there is no tangible material to show that the petitioner was ever involved in illegal trade of illicit liquor.

Mr Akhileshwar Prasad Singh, the learned Senior Counsel, while opposing the prayer for bail, submitted that the petitioner has got one criminal antecedent.

Considering the aforesaid facts and nature of allegation made against the petitioner and the fact that no liquor was recovered from the possession of the petitioner as also the fact that the petitioner is in jail since 28.09.2018, the petitioner above named is directed to be released on bail on his furnishing bonds of Rs 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise at Patna in Special Case No 2032 of 2017 arising out of Economic Offence Police Station Case No 9 of 2017.

(Prabhat Kumar Jha, J)

M.E.H./-

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