

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26781 of 2019**

Arising Out of PS. Case No.-145 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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Pawan Rai @ Pawan Kumar, Son of Mahendra Rai, Resident of Village-Mile,
P.S-Bidupur, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar
For the Opposite Party/s : Mr.Nirmal Kumar Sinha

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 24-04-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with C2A-145 of 2018 registered under Section 30(a) of the
Bihar Excise Act, 2016.

The accusation is of recovery of 175 cartoons
containing 1575 litres Indian made foreign liquor from the hut
and a tempo was also seized, which was standing near the hut in
village Baliyarpur Diyara, while the owner of tempo, Shiv
Kumar Singh son of Bharamdeo Singh, Ramesh Ray and
petitioner were succeeded to flee away.

Learned counsel for the petitioner submits that
petitioner is not the owner of the aforesaid tempo, which would



appear from the F.I.R. and petitioner is also not the owner of the land, upon which, hut was constructed, from which, Indian made foreign liquors were said to be recovered. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on 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 bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-II-cum-Special Judge, Vaishali, Hajipur, in connection with C2A-145 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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