

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79304 of 2018

Arising Out of PS. Case No.-220 Year-2018 Thana- AURAI District- Muzaffarpur

Awadhesh Rai @ Awdhesh Kumar Son of Ramlaxan Rai Resident of Village-
Dekuli, P.S.- Aurai, District- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 28-01-2019 The petitioner seeks bail in anticipation of his arrest in connection with Aurai P.S. Case No. 220 of 2018 dated 25.09.2018 instituted for the offences under Sections 272, 273, 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Approximately 13 litres of liquor is said to have been recovered from beneath firewood kept near a bush in the field of the petitioner.

The learned counsel for the petitioner has submitted that the recovery is from an open space without any enclosure and it cannot be said that the aforesaid space was inaccessible or would have been accessible only by the



petitioner.

Regard being had to the aforesaid facts, the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, is directed to be released on bail on his furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Aurai P.S. Case No. 220 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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