

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32546 of 2019

Arising Out of PS. Case No.-537 Year-2018 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Awadhesh Rai @ Awadhesh Kumar Rai Son of Ramprit Rai Resident of
Village- Dadpur (Chaknoor), P.S.- Muffasil, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh
For the Opposite Party/s : Mr. Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 16-05-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
Samastipur (Muffasil) P.S. Case No. 537 of 2018 instituted for
the offence under Section(s) 272/273 of the Indian Penal Code
and Section 30(a) of Bihar Prohibition & Excise Act, 2016.

Learned counsel for petitioner has submitted that
petitioner was not present at the time of seizure.

It is alleged in the written report that total 214.125
litres of foreign liquor has been recovered from a Bolero
vehicle. Seizure list is part of the FIR which does not bear the
signature of this petitioner.

Learned counsel for petitioner submits that petitioner



has been made accused in this case because he is owner of the aforesaid vehicle.

Petitioner is in custody since 02.04.2019.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Session Judge-II cum Special Judge (Excise Act), Samastipur, in connection with Samastipur (Muffasil) P.S. Case No. 537 of 2018, subject to the condition that both the bailors shall be the close relative of the petitioner.

It is mentioned in para 3 of the bail petition that one other case under the Excise Act is pending against this petitioner.

The petitioner will file affidavit at the time of filing bail bond that he would not indulge himself in such type of activities in future. If he is found indulged in such type of activities, his bail bond in the instant case will liable to be cancelled.

(Sanjay Priya, J)

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