

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41778 of 2019

Arising Out of PS. Case No.-55 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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RAM BABU RAI Son of Late Rajdeo Rai Resident of Village- Bengari, P.S.-
Kanti, District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pravin Kumar
For the Opposite Party/s : Mr.Ramesh Chandra

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 30-09-2019 Heard both sides.

The petitioner apprehends his arrest in Excise Case No.55 of 2019 registered under Section 30(a) of Bihar Prohibition and Excise Act.

The Excise official on secret inputs intercepted a Bolero Jeep parked in a lonely place and recovered huge quantity of liquor.

The learned counsel for the petitioner submits that from perusal of prosecution report itself it appears that the accused persons after having received the information of such raid fled away but nobody has seen the petitioner fleeing away from the place of occurrence nor anybody named the petitioner as the person who had parked the vehicle at any place. On mere



suspicion and for the reasons best known to the Excise official, the petitioner has been made accused in the case. Petitioner is not the owner of the vehicle and petitioner has no manner of concern with the recovered liquor.

Taking into consideration the fact that petitioner is neither the owner of the vehicle nor anybody disclosed the name of the petitioner that the petitioner had parked the vehicle, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Muzaffarpur in connection with Excise Case No.55 of 2019, P.R. No.01 dated 07.04.2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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