

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69305 of 2019

Arising Out of PS. Case No.-202 Year-2019 Thana- PATEPUR District- Vaishali

SAROJ KUMAR @ VIJAY RAI @ VIJAY KUMAR @ VIJAY RAM Son of
Hiralal Rai @ Hiralal Ram Resident of Pashtara, P.S.-Baligaon, District-
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-11-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Patepur P.S. Case No. 202 of 2019 for the offences
registered under Section 30(a) of the Bihar Prohibition and
Excise Act, 2018.

The allegation is regarding recovery of various
quantity of foreign liquor/beer from a truck and from the road
after the Police party had intercepted a truck and made search.
It is further alleged that upon secret information, the Police had
come to know that the petitioner was also present at the spot,
however, upon seeing the Police, he had fled away.

The learned counsel for the petitioner has submitted
that the petitioner has been falsely implicated in the present



case and he has clean antecedent. It is further submitted that no recovery has been made from the possession of the petitioner and there is no material to connect the petitioner with the alleged crime, hence no offence is made out under the provisions of the Bihar Excise (Prohibition) Act is made out against the petitioner herein.

Having regard to the facts and circumstances of the case, the petitioner, above named, in the event of his arrest/surrender before the court below within a period of four weeks from today, is directed to be released on bail upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Excise Court, Vaishali at Hajipur in connection with Patepur P.S. Case No. 202 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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