

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70765 of 2019

Arising Out of PS. Case No.-16 Year-2019 Thana- BASANTPUR District- Siwan

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Atul Kumar Singh aged about 21 Years, Gender-Male, Son of Late Shambhu Singh Resident of Village- Kishunpura, P.S.- Basantpur (Lakari O.P.), District- Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Bijay Prakash Singh, Advocate
For the State : Mrs.Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 27-11-2019 Heard learned Advocate for the petitioner and

learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Basantpur P.S. Case No. 16 of 2019 which has been instituted for the offences under Sections 272, 273, 308, 34 of the Indian Penal Code and Sections 30(A)and 41(1) of the Bihar Prohibition and Excise Act, 2016.

It appears from the prosecution report that 12.120 litres of foreign liquor is stated to have been recovered from the heap of garbage from the market place. The accusation against the petitioner is only based on



suspicion and on hear-say. The petitioner has clean antecedents. These aspects do not indicate that any offence under the provisions of Bihar Prohibition and Excise Act, 2016 can at all be said to have been made out.

Considering the aforesaid aspect of the matter, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of like amount each to the satisfaction of learned 2nd Additional District and Sessions Judge cum Special Judge, Excise, Siwan in connection with Basantpur P.S. Case No. 16 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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