

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80638 of 2019

Arising Out of PS. Case No.-695 Year-2019 Thana- SARAIYA District- Muzaffarpur

ASHOK RAI Son of Sudist Rai @ Surjeet Rai @ Sudhir Kumar Yadav R/o
village- Mahmadpur, P.S.- Paru, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 16-12-2019 Heard the learned counsel for the petitioner and

the State.

The petitioner, who is in custody since 16.10.2019, seeks bail in connection with Saraiya P. S. Case No. 695 of 2019 dated 15.10.2019 instituted for the offences under Sections 420, 467, 468, 120B, 272, 273 and 34 of the Indian Penal Code and Sections 30(a) and 38 of the Bihar Prohibition and Excise Act, 2016.

From the perusal of the F.I.R., it appears that 4 vehicles were intercepted and from all those vehicles approximately 4000 litres of liquor is said to have been recovered.



From the vehicle in which the petitioner was found to be sitting, 871.200 litres of liquor is said to have been recovered.

It has been submitted on behalf of the petitioner that he was only a gratuitous passenger in the aforesaid vehicle. Though the petitioner has been made accused in several cases, which have been referred to in paragraph 3 of the petition, but none of those cases relate to any violation or breach of the Excise Law of the State of Bihar. In all those cases, the petitioner is on bail.

Even in the subject F.I.R., some of the accused persons have been granted bail.

Considering the afore-stated facts, the petition is allowed.

The petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned



Special Judge Excise, Muzaffarpur in connection with
Saraiya P. S. Case No. 695 of 2019.

(Ashutosh Kumar, J)

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