

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83986 of 2019

Arising Out of PS. Case No.-434 Year-2019 Thana- PATORI District- Samastipur

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VISHWAJIT KUMAR @ BISHWAJIT RAY Son of Pramod Rai @ Pramod Ray Resident of Village - Baghra, Shahpur Patori, P.S.- Patori (Mohanpur O.P.), Distt.- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Praveen

For the Opposite Party/s : Mr.Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-12-2019 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 272 and 273 of the IPC and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The prosecution case is that the informant intercepted a car from which 52.560 litres of liquor were recovered. The driver suggested the name of the petitioner as owner of the consignment.

It is submitted by learned counsel for the petitioner that the petitioner has no concern either with the vehicle in question or the seized liquor. Statement to that effect has been made in paragraph 6 of the petition. The petitioner is accused in one



other case but he is on bail in that case.

Learned APP submits that the recovery has been made pursuant to the statement of co-accused.

Considering the nature of recovery, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ADJ -cum-Special Judge, Excise, Samastipur in connection with Patori P.S. Case No. 434 of 2019 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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