

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2034 of 2020

Arising Out of PS. Case No.-668 Year-2019 Thana- KUDHNI District- Muzaffarpur

=====

Rudal Thakur Son of Ram Sovit Thakur @ Shobhit Thakur Resident of
Village- Baghnagri, P.S.- Saraiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur

For the Opposite Party/s : Mrs.Veena Kumari Jaiswal

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 10-06-2020 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Kudhani P.S. Case No. 668 of 2019 registered for the offence under Sections 414, 467, 468, 471 & 34 of the Indian Penal Code and Sections 30(a), 38(1) and 41(1) of the Bihar Prohibition and Excise Act, 2016.

As per prosecution case, 2538 litres of foreign liquor was recovered from a truck, bearing registration no. RJ11GA-1976, as also 1314 litres of illicit foreign liquor was recovered from a pick-up van, bearing registration no. BR33J-9702. It is alleged that petitioner and others have brought aforesaid liquor from Haryana.

It is submitted on behalf of petitioner that petitioner has falsely been implicated in this case and nothing has been



recovered from his conscious possession. It is further submitted that petitioner is neither owner nor driver of any of the seized vehicles. Petitioner has got no concern with the aforesaid liquor and only on suspicion, he has been made accused. Section 100 Cr.P.C. has not been followed with respect to search and seizure. Petitioner has got clean antecedent, as stated in paragraph – 3 of the petition.

Considering the aforesaid facts and circumstances, the bail application is allowed.

Let the above-named petitioner be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur in connection with Kudhani P.S. Case No. 668 of 2019, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

anay

U		T	
---	--	---	--

