

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8168 of 2020

Arising Out of PS. Case No.-263 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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RAJESH KUMAR S/o Late Sakaldeep Prasad R/o Mohalla- Bahadurpur
Housing Colony, MF No. 03, Block No. 06. Quarter No. 04, P.S.- Agamkuan,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjiv Sharan

For the Opposite Party/s : Mr.Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 04-03-2020 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending arrest in connection with (Agamkuan P.S.) P.R. No. 263 of 2019 for the offence under Sections 30(a), 32(1), 32(2), 41(1) & 41(2) of the Bihar Excise and Prohibition Act, 2016.

Allegation against the petitioner is that in the instant case 71.28 litres of liquor was seized.

Learned counsel for the petitioner submits that the liquor was seized from the dicky of the car which was driven by one Mukesh Kumar. He has been made accused on the basis of confessional statement of the driver. Petitioner is neither the owner of the car nor has any connection with the trade of liquor.

Considering the fact that nothing was recovered from



his conscious and immediate possession, the Court is inclined to grant bail to the petitioner, in the event of arrest or surrender within four weeks from today, on furnishing bail bond of Rs.50,000/- (Fifty thousand) with two sureties of the like amount each to the satisfaction of Special Judge (Excise), Patna in connection with (Agamkuan P.S.) P.R. No. 263 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

In the event in future, if the petitioner is found to be involved in any such activities, the Court below shall be at liberty to cancel his bail bonds.

(Anil Kumar Upadhyay, J)

Rishi Kumar/-

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