

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11980 of 2020

Arising Out of PS. Case No.-5 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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Raushan Kumar Son of Dhaneshwar Rai, Resident of Village - Mothahan
Fakirana, P.S.- Minapur, Distrixt- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mrs.Nitu Kumari, Advocate
For the Opposite Party : Mrs.Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 05-03-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

The petitioner is apprehending arrest in connection
with Excise Case No. 05 of 2020 for offences under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that the
petitioner has no criminal antecedent. He further submits that in
the instant case, total 361.20 litres of foreign liquor was seized
from the bamboo clump.

Learned counsel for the petitioner further submits that
nothing was recovered from possession of the petitioner and
liquor was seized from the bamboo clump which is accessible to
common people.



Considering the fact that the petitioner has no criminal antecedent and liquor was seized from the bamboo clump, this Court is inclined to grant bail to him. Let petitioner, above-named, in the event of arrest or surrender within one month from today, be released on bail on furnishing bail bond of Rs. 50,000/- (Rupees fifty thousand) with two sureties of the like amount each to the satisfaction of Special Judge Excise Act, Muzaffarpur in connection with Excise Case No. 05 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

However, in the event the petitioner is found to be involved in the similar offence in future, the court below shall be at liberty to cancel his bail bond.

(Anil Kumar Upadhyay, J)

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