

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17964 of 2020

Arising Out of PS. Case No.-21 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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Wibesh Kumar @ Vibesh Kumar @ Vivek Kumar Son of- Yogendra Rai @
Baua Singh Resident of - Sikandarpur, Rajaura, P.S. - Muffasil, District -
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar through the Inspector of Excise, Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal
For the Opposite Party/s : Mr.Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 26-06-2020 Heard learned counsel for the parties through video
conferencing.

Sole petitioner apprehends his arrest in Excise
Complaint Case No. 21 C2 of 2020 for the offence under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, there is recovery of total
104.76 liters of foreign liquor from the bamboo clamps and
from possession of co-accused Anil Kumar, who was
apprehended on the spot. Petitioner's name has come on the
basis of disclosure made by co-accused Anil Kumar.

It is submitted on behalf of petitioner that petitioner is
innocent and he has falsely been implicated in this case only on
the basis of confessional statement of co-accused Anil Kumar.



Save & except this, there is nothing against the petitioner. It is further submitted that petitioner has no concern either with the seized liquor or apprehended person. Nothing has been recovered from the conscious possession of petitioner.

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

In the event of arrest or surrender within a period of six weeks from today, 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 Additional Sessions Judge II cum Special Judge (Excise Act), Begusarai in connection with Excise Complaint Case No. 21 C2 of 2020, subject to condition, as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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