

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24556 of 2020

Arising Out of PS. Case No.-680 Year-2019 Thana- SARAIYA District- Muzaffarpur

SHIVJEE RAY Son of Murdail Ray Resident of Village- Khaira, P.S.- Saraiya
(Jaintpur O.P.), District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-10-2020 This matter is taken up for consideration through
Video Conferencing under the orders of Hon'ble the Chief
Justice.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner apprehends his arrest in Saraiya
(Jaitpur O.P.) P.S. Case No. 680 of 2019, registered for the
offence punishable under Section 272, 273 of the Indian Penal
Code and section 30(a) of the Bihar Prohibition and Excise Act,
2016.

369 litres of foreign liquor is said to have been
recovered from a Pick Up van and driver of the said Pick Up
van namely, Avinash Kumar was apprehended by the police.

It is submitted that petitioner has falsely been



implicated in this case. Nothing has been recovered from conscious possession of this petitioner. Name of this petitioner has come in this case on the basis of confessional statement of co-accused Avinash Kumar. Petitioner is neither the owner nor the driver of vehicle in question. He has got no concern with the seized liquor. Petitioner has got clean antecedent, as stated in para 3 of the bail petition.

Considering the facts aforesaid, the petitioner above-named in the event of his arrest/surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Muzaffarpur in connection with Saraiya (Jaitpur O.P.) P.S. Case No. 680 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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