

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.25661 of 2020

Arising Out of PS. Case No.-802 Year-2019 Thana- SARAIYA District- Muzaffarpur

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RANDHIR KUMAR Son of Baliram Rai Resident of Village- Manikpur, P.S.-
Saraiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 13-10-2020 Heard Mr. Manoj Kumar, the learned counsel

for the petitioner and Mr. Ram Priya Sharan Singh,

learned APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Saraiya P. S. Case No. 802 of

2019 dated 01.12.2019 instituted for the offences under

Sections 272, 273 and 34 of the Indian Penal Code and

Section 30(a) of the Bihar Prohibition and Excise Act,



2018.

It appears from the F.I.R. that there is a recovery of 435.6 litres of liquor from the hut belonging to co-accused / Mithilesh Kumar. The petitioner and two others were identified by the local Chaukidar to have been fleeing away from the place where the raid was conducted.

There is no recovery from the petitioner and he is a person of clean antecedents.

Regard being had to the afore-stated facts, which does not disclose an offence under the Excise Act against the petitioner, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Muzaffarpur in connection with Saraiya P. S. Case No.



802 of 2019 , subject to the conditions as laid down
under Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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