

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29346 of 2020

Arising Out of PS. Case No.-235 Year-2019 Thana- MOTIHARI MUFASIL District- East
Champaran

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VIKKY RAI aged about 25 years S/o Babulal Rai Resident of Village-
Sihuliya, P.S.-Mufassil, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr.Ganesh Pd. Singh, Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-12-2020 Heard learned counsel for the petitioner and the State
through Video Conferencing.

Petitioner apprehends arrest in a case registered for
the offence punishable under Sections 272/273 of the Indian
Penal Code and sections 30a, 41 and 32 of the Bihar Prohibition
and Excise Act.

315 liters of Nepali liquor is alleged to have been
recovered from the house of co-accused Lal Babu Rai who has
taken the name of the petitioner in his confessional statement as
his associate.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. No incriminating material has been recovered from the
conscious possession of the petitioner. Petitioner has got no
criminal antecedent as stated in paragraph 3 of the bail petition.
The mandatory provision of law for search and seizure given
under section 100 Cr.P.C. has not been followed.

Considering the facts of the case, in the event of



arrest/surrender, let the petitioner, above named, be released 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 Additional Sessions Judge 9th cum Special Judge, Excise Act East Champaran at Motihari in Mufassil Police Station Case No. 235 of 2019, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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