

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31344 of 2020

Arising Out of PS. Case No.-1109 Year-2019 Thana- AHIYAPUR District- Muzaffarpur

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RAJESH KUMAR @ RAJESH BHAGAT S/o Late Bhola Bhagat R/o Vill.-
Kolhua Paigambarpur, P.S.-Ahiyapur, Distt.-Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Kumari Vandana

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 02-12-2020

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with
Ahiyapur P.S. Case No. 1109 of 2019 dated 09.09.2019
instituted for the offences under Sections 272 and 273 of
the Indian Penal Code and Sections 30(a)/36/38/41 of the
Bihar Prohibition and Excise Act, 2016.

It appears from the First Information Report that
51.360 litres of liquor has been recovered from a scooty.
The petitioner claims that he was not arrested from the spot
but he was named as the person, who was seen running
away from the place where the recovery was made.



It has, therefore, been submitted that there is no recovery from the conscious possession of the petitioner and his implication in this case is only on the basis of guesswork.

The petitioner is stated to be in custody since 04.05.2020.

Considering the period of custody of the petitioner, he is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur, in connection with Ahiyapur P.S. Case No. 1109 of 2019.

(Ashutosh Kumar, J)

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