

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30940 of 2020

Arising Out of PS. Case No.-280 Year-2020 Thana- DARIYAPUR District- Saran

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LAL BABU RAI Son of Sudarshan Rai Resident of Village - Laddu Tola,
P.S.- Dariyapur, District - Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Nalin Kumar

For the Opposite Party/s : Mr. Md. Aslam Ansari

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 23-12-2020 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Dariyapur P.S. Case No. 280/2020

instituted for the offences under Section 30(a) of the Bihar

Prohibition and Excise Act, 2016.

Though a huge quantity of liquor has been

recovered from the house of one Sant Lal Rai but the

petitioner has been named only in the confession of an

arrested accused person as being one of the persons at

whose instance the liquor was procured.

Learned counsel for the petitioner submits that he



has clean antecedents and his implication in this case is only on the basis of confession of an arrested accused person. Thus it has been urged that no case under the Excise Act can at all be said to have been made out.

Considering the afore-stated facts, the petitioner, above named, 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 furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 02nd Additional Sessions Judge-cum-Special Judge, Excise, Saran, in connection with Dariyapur P.S. Case No. 280/2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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