

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12253 of 2021

Arising Out of PS. Case No.-257 Year-2020 Thana- BENIPATTI District- Madhubani

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SANJAY DAS S/o- RAMSEVAK DAS VILLAGE HISAR, P.S.
KHIRAHAR, DISTRICT MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ratanakar Jha

For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 23-12-2021 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Benipatti P.S. Case No. 257/2020
instituted for the offences under Sections 272 and 273 of
the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act.

765 litres of liquor is said to have been recovered
from a pick-up van of which the petitioner is the owner. An



arrested accused persons disclosed the name of the petitioner as the owner of the vehicle.

The learned counsel for the petitioner has submitted that the vehicle was being run on commercial basis with clear instruction to the driver and agent not to use it for any authorized purpose. That liquor was carried / transported in the such vehicle was not known to to the petitioner.

The petitioner has clean antecedents.

On these grounds, it has been urged that the offence under the Excise Act cannot be said to have been made out as against the petitioner.

For the reason afore-stated, 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 Special Judge, Excise Act, Madhubani, in connection with Benipatti P.S. Case No.



257/2020, subject to the condition laid down under Section
438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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