

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13013 of 2021

Arising Out of PS. Case No.-140 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Saran

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BINOD KUMAR Son of Lalan Mahato Resident of Village- Chhota Telpa,
P.S.- Town Police Station, District- Saran at Chapra ... Petitioner
Versus

The State of Bihar ... Opposite Party

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Appearance :

For the Petitioner : Mr. Tej Pratap Singh, Adv.
For the Opposite Party : Mr. Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 24-12-2021 Heard Mr. Tej Pratap Singh, learned Advocate for the

petitioner and Mr. Md. Aslam Ansari, learned Additional Public

Prosecutor for the State.

The petitioner seeks bail in anticipation of his arrest in
connection with Excise P.S. Case No. 140 of 2020 dated
01.09.2020 instituted for the offences under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

4.875 liters of liquor is said to have been recovered
from the motorcycle which is alleged to have been abandoned
by the petitioner.

Learned counsel for the petitioner has submitted that
the motorcycle in question does not belong to him and the only
accusation against him is that he was seen fleeing away at the
time of raid leaving behind his motorcycle.

The petitioner does not have criminal antecedents.



In view of the aforesaid two facts, it has been urged on behalf of the petitioner that the offence under the Excise Act can not be said to have been made out as against him.

For the reasons aforestated, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bond in the sum of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, II, Saran at Chapra, in connection with Excise P.S. Case No. 140 of 2020 subject to the conditions as laid down under Section 438(2) of the Criminal Procedure Code.

(Ashutosh Kumar, J)

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