

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11451 of 2021

Arising Out of PS. Case No.-237 Year-2020 Thana- DIGHA District- Patna

GAJENDRA SINGH S/o Late Chandra Singh R/o village- Digha Ramjee
Chak, P.S.- Digha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Griyaghey
For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 21-12-2021 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 Digha P.S. Case No. 237 of 2020

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

Prohibition and Excise Act, 2016.

15 litres of liquor is said to have been recovered

from a scooty parked in an open space.

The learned counsel for the petitioner has

submitted that though the vehicle belongs to him but

under what circumstances the liquor was found in it, is not

known to him. The learned counsel for the petitioner



submits that he smells foul play at the instance of the police for the reason that the F.I.R. was registered on 27.04.2020 but it was produced before the Special Court on 29.04.2020. Smelling rat, the court has sought for an explanation from the Officer-in-Charge about the reason for delay in presentation of the F.I.R.

The petitioner does not have criminal antecedents.

Based on these facts, the learned counsel fro the petitioner submits that the offence under Section 30(a) of the Excise Act cannot be said to have been made out against the petitioner.

For the reasons 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, Patna, in connection with Digha



P.S. Case No. 237 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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