

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30948 of 2020

Arising Out of PS. Case No.-243 Year-2019 Thana- ARA MUFFSIL District- Bhojpur

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VIJAY KUMAR @ KARIYA SINGH, Son of Laxman Singh Resident of
Village- Hematpur, P.O.- Arah- Muffasil (Dhobahan O.P.), District- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Bihari

For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 12-02-2021 Heard Mr. Krishna Bihari, learned counsel for

the petitioner and Mr. Ram Priya Sharan Singh, learned

APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Arah-Muffasil (Dhobahan O.P.)

P. S. Case No. 243 of 2019, dated 01.09.2019,

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

Bihar Prohibition and Excise Act, 2016.

From a Community Centre, approximately 492

litres of liquor has been recovered.

It has been submitted on behalf of the

petitioner that there is no recovery from his possession.



The petitioner is not even a member of the local Panchayat and therefore it cannot be said that he has access to the place from where recovery has been made.

The petitioner has clean antecedents. His implication in the present case is only on the basis of suspicion. It has therefore been argued on behalf of the petitioner that the offences under the provisions of the Excise Act are not made out against the petitioner.

Considering these aspects of the matter, 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 his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 4th Additional Sessions Judge cum Special Excise Act, Bhojpur at Ara, in connection with Arah-Muffasil (Dhobahan O.P.) P. S. Case No. 243 of 2019, subject to the conditions as laid



down under Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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