

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32457 of 2020

Arising Out of PS. Case No.-24 Year-2020 Thana- RIGA District- Sitamarhi

RAJAN KUMAR @ RAJAN PRASAD GUPTA, Son of Late Chandradev Prasad Resident of Village - Bhavdepur, P.S.- Riga, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 12-02-2021 Heard Mr. Raj Kumar, learned counsel for the petitioner and Mr. Abhay Kumar Roy, learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Special Case No. 72 of 2020 (arising out of Riga P. S. Case No. 24 of 2020), instituted for the offences under Section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

According to the F.I.R., on a tip off regarding movement of businessmen dealing in liquor namely Rakesh Tiwary and the petitioner on a Bolero vehicle, a



raid was conducted and 785.520 litres of liquor was recovered from the said vehicle. The petitioner is said to have been identified by the local Chaukidar.

The learned counsel for the petitioner has submitted that neither does he deal in liquor nor was he present at the time of the occurrence. The identification of the petitioner is absolutely mistaken.

Apart from this, it has been submitted that there is no recovery from his possession and he is a person of clean antecedents.

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 Additional District & Sessions Judge – II – cum – Special Judge (Excise),



Sitamarhi, in connection with Special Case No. 72 of
2020 (arising out of Riga P. S. Case No. 24 of 2020),
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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