

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33319 of 2020

Arising Out of PS. Case No.-426 Year-2019 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Aditya Thakur @ Aditya Kumar, Son of Bhola Thakur, Resident of Village -
Sri Rampur, P.O.- and PS.- Pusa, Distt.- Samastipur, Bihar- 848131

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha, Advocate.
For the Opposite Party/s : Mr. Harendra Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 09-03-2021 As prayed for, let the learned counsel appearing for

the petitioner remove the defect(s), as pointed out by the office,

within four weeks of starting of the Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection

with Muffasil P.S. Case No. 426 of 2019, registered under

Sections 30(a) and 42(i) of the Bihar Excise Act, 2018.

The accusation is that in course of checking of the

vehicle, one Hundai Car bearing registration no. DL-11-CA

3981 was stopped, the person who was driving the said vehicle

disclosed his name as Arun Kumar Sah and also disclosed that



he is the owner of the said vehicle. On search of the vehicle, 78 bottles each containing 750 ml, 140 bottles each containing 375 ml and 430 bottles each containing 180 ml Indian made foreign liquor were recovered. On query, Arun Kumar Sah disclosed that the illicit liquor is belonging to Sambhu Singh, who is doing the business of illicit liquor and also disclosed that the alleged bottles of illicit liquor are being carried from the Godown of Aditya Thakur @ Aditya Kumar (petitioner).

Learned counsel for the petitioner submits that petitioner is not named in the FIR but his name has surfaced in the confessional statement of Arun Kumar Sah, from whose vehicle alleged bottles of Indian made foreign liquor are said to be recovered. In fact, petitioner is accused in similar nature of that case, i.e, Pusa P.S. Case No. 89 of 2019, in which, petitioner is on bail, due to that reason, police managed to implicate him in the present case.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional



Sessions Judge-II-cum-Special Judge, Excise Act, Samastipur,
in connection with Muffasil P.S. Case No. 426 of 2019, subject
to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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