

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33037 of 2020

Arising Out of PS. Case No.-124 Year-2020 Thana- PATEPUR District- Vaishali

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Manish Kumar @ Manish @ Lallu @ Lalu, male, aged about 26 years, S/o
Bhikhari Singh @ Surendra Singh, R/o Village - Maudah, P.S. - Patepur,
District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Adv.

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 09-03-2021 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 Patepur P.S. Case No. 124 of
2020, dated 01.07.2020, instituted for the offence under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

179.265 litres of liquor and 106 bottles of beer
were recovered from a car in which the petitioner was found



sitting.

Learned counsel for the petitioner has submitted that he was only a gratuitous passenger in the vehicle and the vehicle also does not belong to him. It has further been submitted that the petitioner does not have any concern with the seized excisable items.

The petitioner has got clean antecedents, which fact has been stated in paragraph 3 of the bail application.

It has been urged on behalf of the petitioner, therefore, that none of the offences under the provisions of Excise Act can at all be said to be made out against the petitioner.

Regard being had to the facts afore-stated, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-II-Cum-Excise Court, Vaishali at Hajipur in connection with Patepur



P.S. Case No. 124 of 2020, subject to the conditions laid
down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

Praveen-II/-

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