

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35200 of 2020

Arising Out of PS. Case No.-237 Year-2020 Thana- BIBHUTIPUR District- Samastipur

Saroj Kumar Rai, Son of Akhilesh Rai Resident of Village-Kalyanpur Milki,
P.S.-Bibhutipur, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Anand

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 23-03-2021 Heard Mr. N. K. Agrawal, learned senior

Advocate 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 Vibhutipur P. S. Case No. 237
of 2020, dated 18.08.2020, instituted for the offences
under Sections 272 and 273 of the Indian Penal Code
and Section 30(a) of the Bihar Prohibition and Excise
Act, 2016.

From the prosecution report, it appears that
1894.680 litres of liquor has been recovered from the
house of one Bhushan Rai. At the time of raid, a lady



was available in the house who has disclosed that the liquor belongs to the petitioner.

The learned counsel for the petitioner has submitted that when aforesaid Bhushan Rai was arrested and his statement was recorded, he also did not refer to the petitioner as the owner of the liquor which is said to have been seized.

The petitioner has got no connection with the aforesaid seized liquor and has been made accused in this case only because of some disclosure by a woman in the house of Bhushan Rai at the time of raid.

The petitioner does not have criminal antecedents.

Considering the afore-stated fact, 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 A.D.J. - II - cum - Special Judge (Excise), Samastipur, in connection with Vibhutipur P. S. Case No. 237 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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