

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35111 of 2020

Arising Out of PS. Case No.-224 Year-2020 Thana- GOVINDGANJ District- East
Champaran

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ARVIND DUBEY @ ARVIND KUMAR DUBEY, son of Radhekant Dubey
Resident of Village- Chatiya, P.S.- Malahi, District- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7
For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 19-03-2021 Heard Mr. Sanjay Kumar No. 7, learned counsel

for the petitioner and Mr. Md. Aslam Ansari, learned APP

for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Govindganj (Malahi) P. S. Case
No. 224 of 2020, dated 28.06.2020, instituted for the
offences under Sections 272, 273 and 34 of the Indian
Penal Code and Sections 30 (A)(C)(D), 34 and 36 of the
Bihar Prohibition and Excise Act.

662 litres of liquor is said to have been
recovered from a hut / fodder house which belongs to



the petitioner.

The learned counsel for the petitioner has submitted that from the perusal of the prosecution report itself it would appear that the aforesaid place from where recovery has been made is always used by one Rakesh Kumar Dubey.

The petitioner does not reside in the village where the raid had been conducted.

The recovery of the excisable items therefore cannot be saddled on the petitioner.

He does not have criminal antecedents.

Considering the afore-stated facts, 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 7th Additional Sessions



Judge cum Special Judge, Excise, East Champaran at
Motihari, in connection with Govindganj (Malahi) P. S.
Case No. 224 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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