

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2773 of 2021

Arising Out of PS. Case No.-268 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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Pankaj Kumar Son Of Munna Prasad Gupta @ Munna Prasad Resident Of
Village- Azad Chowk, Koluharawa, Ward No.-24, P.S. Banjaria, District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Rathore- Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh- A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 22-07-2021 Heard Mr. Kundan Rathore, the learned Advocate

for the petitioner and Mr. Ram Priya Sharan Singh, the

learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Excise Case No.268 of 2020,
instituted for the offences under Sections 30(a) and 41(1) of
the Bihar Prohibition and Excise Act, 2018.

According to the F.I.R., a huge amount of liquor
was recovered from a truck parked in front of Bazar Samiti.

The F.I.R. as well as the impugned order indicates
that at the time of police raid, the petitioner and others
managed to effect their escape. The owner of the vehicle in



question was found to be one Dhara Singh Razak.

The learned Advocate for the petitioner has submitted that he has no criminal antecedent and he is not at all concerned with either the seized liquor or the vehicle in question. The petitioner has got no concern with the owner of the vehicle and perhaps his name has been taken only by way of suspicion.

The source of information to the police has not been disclosed in the F.I.R.

These facts, it has been argued, indicate that no offence under any one of the provisions of Excise Act can be said to have been made out against the petitioner

For the facts afore-noted, 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 Additional Sessions Judge-13th-cum-Special Court of Excise, East Champaran, Motihari in connection with Excise Case No.268 of 2020, subject to the conditions laid



down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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