

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40723 of 2020

Arising Out of PS. Case No.-176 Year-2018 Thana- WAJIRGANJ District- Gaya

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Akash Kumar @ Chotu @ Chhotu, Son of Ashok Jaiswal, Resident of Village
- Binod Nagar, Dhanbad, P.S. - Dhanbad, District - Dhanbad, Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Adv.

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 22-06-2021 Heard Mr. Vinod Kumar, the learned Advocate for

the petitioner and Mr. Damodar Prasad Tiwary, the learned

APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Wazirganj P.S. Case No. 176 of
2018, instituted for the offences under Sections 272 and
273 of the Indian Penal Code and Section 30(a)(d) of the
Bihar Prohibition and Excise Act, 2016.



In a police raid in the house of one Bablu Sao, huge quantity of liquor was recovered. The arrested accused persons are said to have named the petitioner also as one of the participants in the offence.

The learned counsel for the petitioner has submitted that the accusation against him is based solely on the confession of an arrested accused person. It has further been submitted that the petitioner does not have criminal antecedents.

These facts demonstrate that none of the offences under the 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 Special Excise Judge, Gaya, in connection with Wazirganj P.S. Case No. 176 of 2018,



subject to the conditions laid down under Section 438(2) of
the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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