

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39641 of 2020

Arising Out of PS. Case No.-55 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- West Champaran

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AMRESH RAM SON OF LATE JHULAN RAM Resident of Deurwa Devraj,
Ward No.6, P.S.-Lauriya, District-West Champaran.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Saket Tiwary

For the Opposite Party/s : Ms. Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 03-06-2021 Heard Mr. Saket Tiwary, learned Advocate for

the petitioner and Ms. Sharda Kumari, learned APP for the

State.

The petitioner seeks bail in anticipation of his
arrest in connection with Excise P.S. Case No. 55 of 2020
instituted for the offence under Sections 30(a) and 33 of
the Bihar Prohibition and Excise Act, 2016.

Thirty litres of liquor is said to have been
recovered from the land allegedly belonging to the petitioner.

Learned counsel for the petitioner submits that
the land does not belong to him and the recovery is from an
open space and, therefore, such recovery cannot be saddled
upon the petitioner.



The petitioner does not have criminal antecedents.

Based on these facts, learned counsel for the petitioner submits that no offence under any one of the sections of the Excise Act can be said to have been made out against the petitioner.

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 furnishing bail bonds of Rs.10,000/- (Rs. Ten Thousand) each with two sureties of like amount to the satisfaction of learned Special Judge, Excise, Bettiah, West Champaran, in connection with Excise P.S. Case No. 55 of 2020, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure

(Ashutosh Kumar, J)

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