

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.727 of 2021

Arising Out of PS. Case No.-178 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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BIRENDRA BIN @ BIRENDRA BIND, Son Of Late Bhagwat Bind Resident
Of Village - Khajepur, P .S. - M.H. Nagar District -Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramadhar Shekhar- 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 24-06-2021 Heard Mr. Ramadhar Shekhar, the learned 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 Excise Case No.CIII-178 of 2020,
instituted for the offences under Section 30(a) of the Bihar
Prohibition and Excise Act, 2018.

From the prosecution report, it appears that 14
litres of liquor has been recovered from behind the house of the
petitioner kept in a jerkin. It has been urged on behalf of the
petitioner that the recovery is from an open place which cannot
be saddled upon him.

The petitioner does not have any criminal



antecedents.

On these grounds, it has been urged that none of the offences under any one of the provisions of Excise Act can at all be said to have been made out against him.

Considering the afore-stated facts, 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 A.D.J.-II-cum-Special Judge, Excise Act, Siwan in connection with Excise Case No.CIII-178 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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