

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.759 of 2021**

Arising Out of PS. Case No.-14 Year-2020 Thana- PARSAUNI District- Sitamarhi

RAJAN KUMAR @ RAJAN PANDIT, Son of Nagendra Pandit Resident of  
Village - Parsauni Mailwar, Ward No.7, P.S.- Parsauni, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shankar Kumar

For the Opposite Party/s : Mr. APP

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

2      24-06-2021                      Heard Mr. Shankar Kumar, learned counsel for  
  
the petitioner and learned APP for the State.

The petitioner seeks bail in anticipation of his  
arrest in connection with Parsauni P. S. Case No. 14 of  
2020, dated 05.03.2020, instituted for the offence  
under Section 30(a) of the Bihar Prohibition and Excise  
Act, 2016.

21 litres of mahua liquor is said to have been  
recovered from the wheat field of one Dhiru Kumar. So  
far as the petitioner is concerned, it has been alleged in  
the F.I.R. that local persons disclosed that the seized  
liquor was kept at that place by the petitioner, Dhiru



Kumar and Sonu Kumar.

The learned counsel for the petitioner has submitted that accusation against him is based on vague ground and on the stray statements of persons whose identity has not been disclosed. The place of recovery does not belong to the petitioner and the petitioner is in no way associated with aforesaid Dhiru Kumar from whose field there is a recovery of locally brewed liquor.

The petitioner does not have criminal antecedents.

The learned counsel for the petitioner, therefore, submits that on these facts, no offence under anyone of the Sections of the Excise Act can be said to have been made out against the petitioner.

Considering the afore-stated fact, 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 Additional District and Sessions Judge – II – cum – Special Judge, Excise Act, Sitamarhi, in connection with Parsauni P. S. Case No. 14 of 2020, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The application stands allowed.

**(Ashutosh Kumar, J)**

skm/-

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