

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1232 of 2021

Arising Out of PS. Case No.-349 Year-2020 Thana- SAKRA District- Muzaffarpur

Rakesh Kumar @ Rajeev Ranjan @ Dhanna Seth Son Of Mishrilal Mahto
Resident Of Village- Lautan, P.S.- Sakra, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar- Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary- A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 01-07-2021 Heard Mr. Manoj 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 Sakra P. S. Case No. 349 of 2020, instituted for
the offences under Sections 30(a), 41 of the Bihar Prohibition
and Excise Act, 2016.

It is alleged in the F.I.R. that from a truck, 3501 litres
of liquor was recovered. People of the neighbourhood stated that
amongst the accused persons who could manage to run away,
one was the petitioner.

The learned counsel for the petitioner has submitted
that neither the petitioner is owner nor the driver of the truck. In
fact, his name has been taken by a source which has not been



identified in the F.I.R.

It has therefore been urged that no offence under the Excise Act can at all be said to have been made out against the petitioner.

The petitioner does not have criminal antecedents.

For the afore-noted 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 Special Judge, Excise, Muzaffarpur in connection with Sakra P. S. Case No.349 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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