

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3809 of 2021

Arising Out of PS. Case No.-584 Year-2020 Thana- DANAPUR District- Patna

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SUMIT KUMAR SON OF ASHOK KUMAR GUPTA @ ASHOK PRASAD
Resident of Village - Anand Bazar, Gandhi Murti, P.s.- Danapur, Dist.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary

For the Opposite Party/s : Mr. Ram Priya Sharan Singh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 29-07-2021 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Special Case No. 5967 of 2020

arising out of Danapur P.S. Case No. 584 of 2020 instituted

for the offences under Section 30(a) of the Bihar Excise and

Prohibition Act, 2018.

The accusation in the First Information Report is

regarding recovery of liquor but not from the conscious

possession of the petitioner. He has been made accused in

this case on the basis of statement made by co-accused

Ramesh Kumar.



The petitioner does not have criminal antecedents.

On the basis of the aforesaid facts, it has been urged on behalf of the petitioner that the offence under the Excise Act cannot be said to have been made out against him.

For the reasons afore-stated, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Act, Patna, in connection with Special Case No. 5967 of 2020 arising out of Danapur P.S. Case No. 584 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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