

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4939 of 2021

Arising Out of PS. Case No.-83 Year-2020 Thana- SIKARHATTA District- Bhojpur

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Ashok Singh @ Ashok Chaudhary, Son of Shiwali Chaudhary, Resident of
Village - Babubandh, P.S. - Chauri, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Adv.

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 05-08-2021 Heard Mr. Prithivi Raj Singh, the learned Advocate

for the petitioner and the learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Sikrahta P.S. Case No. 83 of 2020,
dated 14.07.2020, instituted for the offence under Section
30(A) of the Bihar Prohibition and Excise (Amendment) Act,
2018.

From a three-wheeler and one motorcycle, 300



litres of locally brewed liquor was recovered. Three persons were arrested and they disclosed that eight persons including the petitioner had been dealing in such sale and purchase of liquor.

It has been submitted on behalf of the petitioner that though he has been named in the F.I.R. but such accusation is only on the basis of the statement provided by the arrested accused person. It has further been submitted that the petitioner does not have criminal antecedents.

On these two grounds, it has been urged that the offence under the Excise Act as against the petitioner cannot be said to have been made out.

Regard being had to the facts afore-stated, 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 Excise Court, Bhojpur, Ara/concerned Court in connection with Sikrahta P.S. Case



No. 83 of 2020, subject to the conditions laid down under
Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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