

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9318 of 2021

Arising Out of PS. Case No.-168 Year-2020 Thana- MANIYARI District- Muzaffarpur

VIKASH KUMAR @ VIKASH RAY S/o Ganesh Ray R/o Village- Shahpur
Maricha @ Shahpur Marija, P.S.- Maniyari, District- Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 17-12-2021 Heard Mr. Anuj Kumar, learned Advocate for
the petitioner and Mr. Jitendra Kumar Singh, learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Maniyari P.S. Case No. 168 of 2020 dated 09.07.2020 instituted for the offences under Sections 272, 273 and 290 of the Indian Penal Code and Sections 30(a), 34, 36, 41 and 56 of the Bihar Prohibition and Excise Act, 2016.

82.750 litres of liquor is said to have been recovered from a Maruti vehicle standing in front of the cattle-shed of the petitioner. Two persons are said to have run away from the cattle-shed of the petitioner. The petitioner is sought to be prosecuted in this case because the vehicle in question was found parked in



front of his cattle-shed and that he has wrongly been identified as one of the persons who ran away at the time of raid.

Learned counsel for the petitioner has, therefore, submitted that this circumstance coupled with the fact that the petitioner does not have criminal antecedent amply illustrate that he has been falsely implicated in this case and the Excise Act is not made out as against him.

For the reasons aforesated, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four 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 Special Judge, Excise, Muzaffarpur in connection with Maniyari P.S. Case No. 168 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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