

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.7223 of 2021

Arising Out of PS. Case No.-327 Year-2020 Thana- MINAPUR District- Muzaffarpur

DHANANJAY KUMAR @ DHANANJAY KUMAR SINGH, aged about 35 years, son of DAYANAND SINGH, RESIDENT OF VILLAGE RAMTOMHA, PS MINAPUR, PANAPUR OP, DISTRICT MUZAFFARPUR ... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : M/s Vishwajeet Singh Yashraj & Bardhan, Advs.

For the Opposite Party : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 20-12-2021 Heard Mr. Vishwajeet Singh, learned Advocate for the petitioner and Mr. Rajendra Singh, learned Additional Public Prosecutor for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Minapur P.S. Case No. 327 of 2020 dated 27.08.2020 instituted for the offences under Sections 272, 273, 414 and 34 of the Indian Penal Code and 30(a) and 41 of the Bihar Prohibition and Excise (Amendment) Act, 2018.

The house of one Brahmdeo Choudhary was raided on suspicion and 53.250 liters of liquor was recovered. Three persons appear to have been arrested at the time of the raid. Those persons are said to have stated before the police that the petitioner and others could manage to run away from the place of raid.

Learned counsel for the petitioner has submitted that his implication in this case is only on the basis of statement made before the police by arrested accused persons. The petitioner has got no concern whatsoever with either the place of



recovery or the recovered item excise-able. One of the other accused persons of this case, having similar allegation, has been granted anticipatory bail by a Bench of this Court.

The petitioner has clean antecedent.

On these facts, it has been urged that the offence under the Excise Act can not at all be made out against the petitioner.

For the reasons aforestated, 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 bond in the sum of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Muzaffarpur, in connection with Minapur P.S. Case No. 327 of 2020 subject to the conditions as laid down under Section 438(2) of the Criminal Procedure Code.

(Ashutosh Kumar, J)

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