

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9190 of 2021

Arising Out of PS. Case No.-145 Year-2019 Thana- KHODAWANDPUR District- Begusarai

RAJEEV KUMAR Son of Dilip Sah Resident of Village - Bariyarpur West,
P.S.- Khodawandpur, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Dhar Jha, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 17-12-2021 Heard Mr. Shashi Dhar Jha, learned Advocate
for the petitioner and Mr. Nand Kishore Prasad, learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Khodawandpur (Chhaurahi O.P.) P.S. Case No. 145 of 2019 dated 18.07.2019 instituted for the offences under Sections 272, 273 and 120(B) of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

It has been alleged in the FIR that from the two vehicles which were intercepted, huge quantity of liquor was recovered. One of the vehicles belonged to the petitioner. Hence, his prosecution in the present case.

Learned counsel for the petitioner has submitted that he had gone out of his house for his



business and in his absence, one of the accused persons took his vehicle and used it for the purposes of carrying liquor in an unauthorized manner.

The learned counsel for the petitioner has further submitted that he does not have criminal antecedents.

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

For the reasons aforesaid, 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 Additional Sessions Judge- 2nd -cum Special Judge, Excise Act, Begusarai in connection with Khodawandpur (Chhaurahi O.P.) P.S. Case No. 145 of 2019, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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