

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9403 of 2021

In
CRIMINAL MISCELLANEOUS No.901 of 2020

Arising Out of PS. Case No.-21 Year-2020 Thana- DEO District- Aurangabad

CHHOTU KUMAR @ SUDESH KUMAR, S/O KASHI YADAV, R/O
VILLAGE-BALA POKHAR, P.S. DEO, DISTRICT-AURANGABAD

... Petitioner

Versus

THE STATE OF BIHAR

... Opposite Party

Appearance :

For the Petitioner : Mr. Ranjit Kumar, Adv.

For the Opposite Party : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 20-12-2021 Heard Mr. Ranjit Kumar, learned Advocate for the
petitioner and Mr. Md. Aslam Ansari, learned Additional Public
Prosecutor for the State.

The petitioner seeks bail in anticipation of his arrest in
connection with Deo P.S. Case No. 21 of 2020 dated 05.03.2020
instituted for the offences under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

From the prosecution report, it appears that 40 liters
of liquor was recovered from a stack of hay from near the house
of the petitioner.

Learned counsel for the petitioner has submitted that
he has no concern with the place from where the recovery has
been made nor is he in any way concerned with the liquor which
has been seized. The petitioner does not have criminal



antecedents.

On these grounds, it has been urged that no offence under the Excise Act can at all be said to have been done.

For the reasons noted above 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 Additional District & Sessions Judge II-cum-Special Judge, Excise Act, Aurangabad, in connection with Deo P.S. Case No. 21 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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