

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13535 of 2022

Arising Out of PS. Case No.-370 Year-2021 Thana- BIBHUTIPUR District- Samastipur

Rishu Kumar @ Fauji Son of Shambhu Singh Resident of Village - Patailiya,
P.S.- Vibhutipur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Priyadarshi
For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-07-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State through video conferencing.

The petitioner apprehends his arrest in Vibhutipur P.S.
Case No. 370 of 2021, registered for the offence punishable
under Section 30(a), 32(2), 32(3), 36, 41(1), 41(2) of the Bihar
Prohibition and Excise Act, 2016.

4518 litres of foreign liquor has been recovered from
a truck parked near a hotel situated on highway.

It is submitted that nothing has been recovered from
conscious possession of this petitioner. Petitioner has been made
accused in this case on the basis of confessional statement of co-
accused who was apprehended on the spot. Petitioner is neither
driver nor owner of vehicle in question. Petitioner has got no
concern with the seized liquor and he claims clean antecedent.



Considering the facts aforesaid, the petitioner above-named in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-cum-Special Judge Excise, Samastipur in connection with Vibhutipur P.S. Case No. 370 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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