

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.23849 of 2021

Arising Out of PS. Case No.-29 Year-2020 Thana- SIWAIPATTI District- Muzaffarpur

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NISHANT KUMAR @ SUNNY KUMAR, S/O RAMAKBAAL RAY R/o
village- Kodariya, P.S.- Siwaipatti, District- Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar

For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 13-01-2022 Heard the learned counsel for the parties.

The petitioner seeks bail in anticipation of his arrest in connection with Siwaipatti P.S. Case No. 29 of 2020, dated 24.03.2020, instituted for the offences under Sections 272, 273 and 34 of the Indian Penal Code and Section 30(a) and 30 of the Bihar Prohibition and Excise Act, 2016.

396.600 litres of liquor is said to have been



recovered from the field of one Shadhu Sharan Rai. So far as the petitioner is concerned, he is said to have been identified as amongst four persons who had run away at the time of raid.

It has been submitted on behalf of the petitioner that except for the aforesaid vague accusation, there is no other material to connect him with the offence.

It has further been submitted that the petitioner has clean antecedents.

On the afore-noted arguments, it has been urged that the offence under the Excise Act cannot be said to have been made out against the petitioner.

For the reasons afore-stated, the petitioner, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



learned Special Judge, Excise, Muzaffarpur in connection
with Siwaipatti P. S. Case No. 29 of 2020, subject to the
conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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