

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24016 of 2021

Arising Out of PS. Case No.-171 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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MANOJ SINGH S/O RAMADHAR SINGH R/o village- Jamla Suraha, P.S.-
Motihari Muffasil, District- East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Advocate.
For the Opposite Party/s : Mr.APP.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 13-01-2022 Heard Mr. Anuj Kumar, learned Advocate for the

petitioner and learned Additional Public Prosecutor for the

State.

The petitioner seeks bail in anticipation of his arrest in
connection with Excise Case No. 171 of 2020 instituted for the
offences under Sections 30(a), 32, 38 and 41(i) of the Bihar
Prohibition and Excise Act, 2018.

A truck parked in the wilderness was intercepted,
from where 6442.92 litres of liquor was recovered. The
petitioner and some other accused persons were seen fleeing
away from the aforesaid vehicle.

Learned counsel for the petitioner has submitted that
the source of information to the police officer / informant about



the petitioner being one of the persons who was seen fleeing away, has not been disclosed. The petitioner has clean antecedents and has got no concern either with the vehicle or with the liquor which was seized.

Based on these two grounds, the learned counsel for the petitioner has submitted that offence under the Excise Act cannot at all be said to have been made out against the petitioner.

Regard being had to the facts afore-stated, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the learned 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 Addl. Sessions Judge-VII cum Excise Court, East Champaran, Motihari in connection with Excise Case No. 171 of 2020 , subject to the condition as laid down under Section 438 (2) Cr. P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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