

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27925 of 2021

Arising Out of PS. Case No.-179 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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PAWAN KUMAR @ PAWAN RAY Son of Late Jogi Ray Resident of Village
- Fatehpur Bakhari, P.S.- Ahiyapur, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 18-05-2022 For the reason of this case not having been taken up

even once for a year, a priority hearing has been given in this

matter.

Heard Mr. Manoj Kumar, learned Advocate for the
petitioner and the learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in
connection with Excise Case No. 179 of 2020 P.R. No. 01/2020
instituted for the offences under Section 30(a) of the Bihar
Prohibition and Excise Act.

It appears from the prosecution report that 542.22 litres
of liquor was recovered from a dilapidated house, said to belong
to one Raj Kumar Rai. With respect to the petitioner, it has been
alleged that he and one Arjun Rai also deal in illicit trade of
liquor.



Learned counsel for the petitioner has submitted that he is sought to be prosecuted in this case on the basis of stray information provided to the police party which had gone to conduct raid in which 542.22 litres of liquor has been recovered from the house of one of the co-accused persons. The house does not belong to the petitioner and he denies to have any link with the liquor which has been so seized.

The petitioner does not have criminal antecedents.

On these grounds, it has been urged on behalf of the petitioner that no offence under the Excise Act can at all be said to have been made out against him.

For the reasons aforesated, 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 Special Judge, Excise, Muzaffarpur in connection with Excise Case No. 179 of 2020 P.R. No. 01/2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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