

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30946 of 2021

Arising Out of PS. Case No.-44 Year-2020 Thana- KOCHAS District- Rohtas

=====

Sandeep Kumar, aged about, gender-male, Son of Late Kamlesh Ram, R/o
Village- Patel Nagar, Ward No.11, P.S.- Kochas, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Akshansh Ankit, Adv.

For the Opposite Party/s : Mr. APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 27-01-2022 Heard Mr. Akshansh Ankit, the learned counsel for

the petitioner and the learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Kochas P.S. Case No. 44 of 2020,
dated 20.03.2020, instituted for the offence under Section
30(a) of the Bihar Prohibition and Excise (Amendment) Act,
2018.

Though the petitioner has been named in the F.I.R.



as having brought the liquor which has been seized, but such accusation is only on hearsay information.

138 litres of liquor is said to have been recovered from a Wagon-R vehicle which does not belong to him.

The counsel for the petitioner has filed an affidavit indicating that the vehicle in question belongs to one Anita Barnwal with whom the petitioner is not related in any manner whatsoever. Thus, the accusation against the petitioner is solely based on conjectures.

The petitioner does not have criminal antecedents.

On these two premises, it has been urged that the offence under the Excise Act cannot at all 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 Addl. Sessions Judge-II-Cum-Special Judge, Excise, Rohtas at



Sasaram in connection with Kochas P.S. Case No. 44 of
2020, subject to the conditions laid down under Section
438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

U		T	
---	--	---	--

