

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29822 of 2021

Arising Out of PS. Case No.-274 Year-2020 Thana- BOCHAHAN District- Muzaffarpur

Santosh Rai, male, aged about 43 years, S/o- Late Lal Mohan Rai, Resident of
Village- Bhorhan, P.S.- Bochahan, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 04-04-2022 This matter has been up-listed for hearing as for

about one year, this case has not even been once taken up

for consideration.

Heard Mr. Arun Kumar, the learned Advocate for

the petitioner and the learned APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Bochahan P.S. Case No. 274 of

2020, dated 08.10.2020, instituted for the offences under



Sections 272 and 273 of the Indian Penal Code and Sections 30(a) and 22 of the Bihar Prohibition and Excise Act.

Huge quantity of liquor is said to have been recovered and the petitioner along with his associate is alleged to have fled away at the time of raid.

The learned counsel for the petitioner has submitted that such accusation is based only on suspicion and on stray information, the source of which has not been disclosed in the F.I.R. It has further been submitted that the petitioner does not have criminal antecedents.

On these two grounds, 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 Special Judge, Excise, Muzaffarpur in connection with Bochahan P.S.



Case No. 274 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	
---	--	---	--

