

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39010 of 2021

Arising Out of PS. Case No.-303 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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PRINCE @ NANKI S/O Rajeshwar Mishra Resident of Village - Silaut, P.S. -
Maniyari, District - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mahendra Thakur
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 11-05-2022 For the reason of the marriage ceremony of the sister

of the petitioner having been scheduled for 11.05.2022, this case

has been given a priority hearing.

Heard 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 Excise Case No. 303 of 2020 corresponding to
P.R. No. 04/2020 instituted for the offences under Sections 30(a)
and 32(3) of the Bihar Prohibition and Excise Act, 2018.

1709.55 litres of liquor is said to have been recovered
from a truck but so far as the petitioner is concerned, the
accusation against him is of his having run away from the place
where the raid was made on seeing the police.



The learned counsel for the petitioner has submitted that the accusation is absolutely vague and his identification by local persons is also doubtful. Apart from this, it has been submitted that the petitioner has not been made accused in similar nature of case in the past.

On these grounds, it has been urged that the offence under the Excise Act, as far as the petitioner is concerned, is not made out.

For the reasons afore-stated, the petitioner, above named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur, in connection with Excise Case No. 303 of 2020 corresponding to P.R. No. 04/2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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