

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53498 of 2022

Arising Out of PS. Case No.-351 Year-2022 Thana- RAJAON District- Banka

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Banti Kumar Son of Devendra Kumar, R/o Azad Nagar, Ward No. 9, P.S.-
Madhepura, Dist.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 21-10-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Special Excise Case No.656 of 2022 arising out of Rajoun
(Nabada OP) P.S. Case No. 351 of 2022 lodged under Sections
30(a) of Bihar Prohibition and Excise Act, 2018.

As per prosecution case, total recovery of 108.075
liters of Indian made foreign liquor has been made from the Car
of petitioner.

Learned counsel for the petitioner submits that
petitioner was not apprehended from the place of occurrence
and his name has figured in this case only and only due to the
reason that he is the owner of the Car. He further submits that

the Car was under the possession of his driver who was apprehended from the place of occurrence. He specifically submits that petitioner was completely unaware about the thing that driver is carrying wine in his Car. He further submits that the antecedent of petitioner is clean. he is in custody since 23.07.2022 and charge sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II, Banka in connection with Special Excise Case No. 656 of 2022 arising out of Rajoun (Nabada OP) P.S. Case No. 351 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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