

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66894 of 2021

Arising Out of PS. Case No.-297 Year-2021 Thana- VAISHALI District- Vaishali

NAND KISHORE RAI Son of Babulal Rai Resident of Village - Rahimpur,
P.S. Vaishali, District - Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra, Adv.

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 09-05-2022 For the reason of the marriage of daughter of the
petitioner having been scheduled for 25th of May 2022, this case
has been given 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 Vaishali P.S. Case No. 297 of 2021 dated
09.07.2021 instituted for the offences under Sections 30(a) of
the Bihar Prohibition and Excise Act, 2018.

74.250 litres of liquor is said to have been recovered
from an open space and the petitioner and two other persons are
said to have run away on seeing the police party.

The learned counsel for the petitioner has submitted
that his identification as the person who ran away from the place



where the liquor was found to have been stored, is doubtful. He further submits that he has clean antecedents.

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

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 A.D.J-II-cum-Excise Court, Vaishali at Hajipur, in connection with Vaishali P.S. Case No. 297 of 2021, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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