

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71196 of 2021

Arising Out of PS. Case No.-292 Year-2021 Thana- KOCHADHAMAN District- Kishanganj

RAHUL KUMAR SON OF VIJAYNATH RAI RESIDENT OF- MADURI
CHOWK, WARD NO.29, BAHADURPUR, P.S. MUFFASIL, DISTRICT
SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Satyendra Kumar Srivastava
For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 06-05-2022 Heard learned counsels for the petitioner and the

State.

Petitioner apprehends arrest in connection
with Special Case No. 475 of 2021 registered for the offence
punishable under sections 272, 273 of the Indian Penal Code
and sections 30(a), 32, 42 and 47 of the Bihar Prohibition
and Excise Act, 2018.

Learned counsel appearing for the petitioner
submits that petitioner has been falsely implicated in this
case merely because he is owner of the vehicle in question.
Nothing has been recovered from the conscious possession
of this petitioner. The accused persons who were
apprehended on the spot have not stated anything alleging

against this petitioner. There is no statement of the driver.
Petitioner has no concern with the seized illicit liquor.
Petitioner has no criminal antecedent.

Considering the facts and circumstances of the case
and the submissions advanced on behalf of the parties, let
the petitioner, above named, in the event of arrest or
surrender within a period of four weeks from today, be
released on bail on furnishing of his personal bond to the
satisfaction of 2nd Additional Sessions Judge-cum-Special
Judge, Excise, Kishanganj in connection with Special Case
No. 475 of 2021 arising out of Kochadhaman P.S. Case No.
292 of 2021 subject to the conditions laid down under
section 438(2) Cr.P.C.

(Arvind Srivastava, J)

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