

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72265 of 2021**

Arising Out of PS. Case No.-53 Year-2021 Thana- PATEPUR District- Vaishali

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BABAN RAI @ BABAN KUMAR RAY Son of Baleshwar Ray Resident of  
Village - Bardiha Turki, P.S.- Patepur, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Mrityunjay Kumar  
For the Opposite Party/s : Mr.Khurshid Anwar

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**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 Patepur P.S. Case No. 53 of 2021 registered for the  
offence punishable under section 30(a) 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 against  
this petitioner. As a matter of fact, the said vehicle was given

to driver Bhola Rai as he is running transport business and this petitioner was completely unaware about the fact that the driver used his vehicle for loading and unloading the 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 2<sup>nd</sup> Additional Sessions Judge-cum-Special Judge, Excise, Vaishali at Hajipur in connection with Patepur P.S. Case No. 53 of 2021 subject to the conditions laid down under section 438(2) Cr.P.C.

**(Arvind Srivastava, J)**

mcv/-

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