

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41768 of 2023

Arising Out of PS. Case No.-106 Year-2023 Thana- DESARI District- Vaishali

Akhilesh Rai @ Aklesh Rai Son Of Dhupan Rai Village Naurangpur, P.S.
Mahnar, Dist. Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-08-2023 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

3. 571.320 liters of illicit liquor alongwith two motorcycles have been recovered from the premises of Bhola Baba Temple at village Lodipur Chak Pahar.

4. It is submitted on behalf of petitioner that this petitioner has been made accused in this case because he is registered owner of one of the seized motorcycle. In fact, motorcycle of the petitioner was taken by another person for taking medicine and he had parked said motorcycle in the premises of the temple and police team, only on suspicion, seized motorcycle of the petitioner. No incriminating article has been recovered from the motorcycle of this petitioner. Petitioner has got clean antecedent.



5. Considering the nature of allegation and clean antecedent of petitioner, let the above named petitioner, in the event of his arrest or surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1-cum-Additional District & Sessions Judge, Vaishali at Hajipur in connection with Desari (Sahadei O.P.) P.S. Case No. 106 of 2023, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J)

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