

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13285 of 2022

Arising Out of PS. Case No.-225 Year-2021 Thana- MUFFASIL District- Aurangabad

1. Abhishek Kumar @ Akhilesh Kumar Son Of Ajay Yadav @ Ajay Kumar Singh Resident Of Village- Kurmha Bigha, P.S.- Jamhore, District- Aurangabad.
2. Vinod Kumar Son Of Yamuna Yadav Resident Of Village- Kurmha Bigha, P.S.- Jamhore, District- Aurangabad.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhanu Pratap Singh
For the Opposite Party/s : Mr. Kanhaiya Kishore (APP)

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-07-2022 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Section 30(a) of the Excise Act, 2018.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the allegation is of recovery of 600 litre of liquor from a Bolero Car.

The learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession. It is next submitted that petitioners are neither the owner nor the driver of the



vehicle and their name transpired in the confessional statement of co-accused Shivlok which has no evidentiary value.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Aurangabad (Muffasil) P. S. Case No.225 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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