

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19106 of 2022

Arising Out of PS. Case No.-195 Year-2021 Thana- AURAI District- Muzaffarpur

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Dilip Sah S/O Bhikhari Sah R/O Village- Kataujha Tola, P.S.- Aurai, District-
Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Dilip Kumar No. 1

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 272,
273/ 34 of the Indian Penal Code and Section 30(a) of the
Excise Act.

The learned counsel for the petitioner submits that the
petitioner has antecedent of one case and the allegation is of
recovery of 107.895 litre of liquor from the Tata Safari which
was standing on the vacant land of Chhotan Baba.

The learned counsel for the petitioner submits that
petitioner is neither the owner of the vehicle, nor the land on
which the vehicle was standing belongs to him, nor he was
apprehended from the spot, as such, nothing was recovered from



his conscious possession and his name transpired based on secret local information received by the police.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner and the fact that petitioner was not apprehended from the spot, as such, nothing was recovered from his conscious possession and neither the vehicle, nor the land belonged to him as submitted, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Aurai P. S. Case No.195 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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