

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19122 of 2022

Arising Out of PS. Case No.-479 Year-2019 Thana- MAHUA District- Vaishali

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Asharfi Lal Singh @ Asharfi Singh, Son Of Late Laljee Singh Resident Of
Village - Mahua Singh Ray , P.S.- Mahua, Distt.- Vaishali.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravish Mishra

For the Opposite Party/s : Mr. Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Section 30(a)
of the Excise Act, 2016.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 42 litre of liquor when it was being unloaded
from a pick-up van on the land of Arjun Singh. It is next alleged
that two persons were arrested, who confessed that they
indulged in business of illicit liquor.

The learned counsel for the petitioner submits that
petitioner was not arrested from the spot and nothing was
recovered from his conscious possession and his name



transpired in the confessional statement of apprehended accused persons which has no evidentiary value in the eyes of law.

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

Considering the submissions made by the learned counsel for the petitioner, 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. 1,000/- (Rupees One 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 Mahua P. S. Case No.479 of 2019, 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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