

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20098 of 2022

Arising Out of PS. Case No.-140 Year-2021 Thana- KANHAULI District- Sitamarhi

Satyendra Kumar, Son Of Sant Mukhiya Resident Of Village - Bhutahi, Ward No.- 4, P.S.- Kanhauli, District - Sitamarhi (Bihar).

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar

For the Opposite Party/s : Ms. Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-07-2022 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 Section 30(a) of the Excise Act.

The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the allegation is of recovery of 35.100 litre of liquor from a jute bag kept on a motorcycle.

The learned counsel for the petitioner submits that the petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession. It is next submitted that the petitioner is neither the owner, nor the driver of the aforesaid motorcycle and his name transpired in the



confessional statement of Pappu Purvey, 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 petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 learned Court below where the case is pending in connection with Kanhauli P. S. Case No.140 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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