

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20722 of 2022

Arising Out of PS. Case No.-268 Year-2021 Thana- NADI P.S. District- Patna

1. Haribanshu Ray @ Harwansu Ray Son Of Late Lakhandeo Ray R/O- Village- Fatehjangpur, P.S.- Nadi, District- Patna
2. Ranjit Ray Son Of Haribanshu Ray @ Harwansu Ray R/O- Village- Fatehjangpur, P.S.- Nadi, District- Patna
3. Umesh Ray Son Of Beni Ray R/O- Village- Fatehjangpur, P.S.- Nadi, District- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad
For the Opposite Party/s : Ms. Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-09-2022 Heard learned counsel for the petitioners and 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 petitioner nos.1 and 2 are persons with clean antecedent and
petitioner no.3 has antecedent of one case and the allegation is
of recovery of 40 litres of liquor from a motorcycle and 320
litres of liquor from a sack kept on the ground near ply board
factory.



The learned counsel for the petitioners submits that the 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 alleged vehicle and the alleged recovery was made from a place which is accessible to public at large which does not belong to the petitioners.

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

Considering the submissions made by the learned counsel for the petitioners, the petitioner nos.1 and 2, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) each and the petitioner no.3, 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. 10,000/- (Rupees Ten 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 Special Case No.5882 of 2021 arising out of Nadi P. S. Case No.268 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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