

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21769 of 2022

Arising Out of PS. Case No.-233 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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1. Laldeo Sah, S/O Lakshaman Sah Resident Of Village- Chaupar Bharat, P.S.- Bochahan, District - Muzaffarpur.
 2. Bharat Sah, S/O Lakshaman Sah Resident Of Village- Chaupar Bharat, P.S.- Bochahan, District- Muzaffarpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Thakur
For the Opposite Party/s : Ms. Anita Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-09-2022 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 Sections 30(a), 30(c), 30(d) and 32 of the Excise Act, 2016.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the allegation is of recovery of 1580 empty bottles from a Bolero pick-up found at NH-27 near Muradpur Chowk. Further, 5.200 litres of spirit from a gallon from the hut of petitioner no.2.

The learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case. It is next submitted that petitioners were not present at the place



of occurrence and as such, nothing was recovered from their conscious possession. It is also submitted that the hut from where the alleged recovery was made does not belong to the petitioner as has been stated in Para-12 of the anticipatory bail application.

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. 1,000/- (Rupees One 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 Excise Case No.233 of 2021, corresponding to P.R. No.08 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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