

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23427 of 2022

Arising Out of PS. Case No.-465 Year-2021 Thana- SUGAULI District- East Champaran

Krishna Rai Son Of Harendra Rai @ Hari Rai @ Harendra Yadav Resident Of
Village - Bhargawa, P.S.- Sugauli, Distt.- East Champaran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava
For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-08-2022 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 420
and 120(B) of the I.P.C. and Sections 30(a), 32(iii), 36, 41(i) 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 7260 litre of spirit from a truck.

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 his name transpired in the confessional statement
of co-accused Durgesh Narayan Singh, which has no evidentiary



value. It is also submitted that petitioner is neither the owner, nor the driver of the truck.

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. 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 Sugauli P. S. Case No.465 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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