

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23521 of 2022

Arising Out of PS. Case No.-190 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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Rakesh Kumar S/O Naresh Rai R/O Village- Deewan Tok, P.S.- Ganga
Bridge, District- Vaishali

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar
For the Opposite Party/s : Mr. Dinesh Singh

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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
30(a), 32(i), 32(ii), 41(i), 41(ii) of the Excise Act, 2018.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 264.300 litre of liquor from a car.

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 and his name
transpired in the confessional statement of co-accused Chandan
Kumar, which has no evidentiary value.



The learned counsel for the petitioner submits that the petitioner is the second-hand owner of the car and as such, he was not knowing that Chandan has misused the car for carrying liquor.

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. 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 C2A Case No.190 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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