

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24373 of 2022

Arising Out of PS. Case No.-16 Year-2021 Thana- KASBA District- Purnia

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Amit Kumar Madhukar Son Of Lakshami Yadav Resident Of Village -
Kharaiya Basti Ward No.10, P.S.- Araria, Distt.- Araria.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Ms. Shaheen Begum

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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 272,
273 of the I.P.C. and Sections 30(a), 38(i), (ii) and 41(i) of the
Excise Act, 2016.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 4087.8 litre of liquor 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 petitioner is neither the owner, nor the driver of the truck
and his name transpired in the confessional statement of truck



driver, who was apprehended by the police, which has no evidentiary value.

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. 20,000/- (Rupees Twenty 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 Kasba P. S. Case No.16 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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