

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24376 of 2022

Arising Out of PS. Case No.-447 Year-2021 Thana- SAKRA District- Muzaffarpur

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Varun Rai, Son Of Rameshwar Rai @ Ramshreshth Rai Resident Of Village -
Govindpur Bela, P.S.- Baligaon, Distt.- Vaishali 843114

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

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/ 34 of the I.P.C. and Section 30(a) of the Excise Act, 2018.

The learned counsel for the petitioner submits that the
petitioner has antecedent of three cases and the allegation is of
recovery of 4680.360 litre of foreign 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 the petitioner is neither the owner, nor the driver of the
truck.

The learned counsel draws the attention of the Court



to the F.I.R. to submit that the F.I.R. does not disclose that as to how the name of the petitioner transpired. It is next submitted that since the petitioner has antecedent, as such, police in order to save the real culprit falsely implicated the petitioner without disclosing the source as the F.I.R. does not even record that the name transpired based on secret information.

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. 2,000/- (Rupees Two 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 Sakra P. S. Case No.447 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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