

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37705 of 2021

Arising Out of PS. Case No.-264 Year-2020 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

Ashok Kumar, Son Of Rameshwar Mahto Resident Of Village- Jamaruha,
P.S.- Maniyari, District- Muzaffarpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mazharul Hassan
For the Opposite Party/s : Mr. Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-06-2022 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
and 273 of the Indian Penal Code and Section 30(a) 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 21.125 litre of liquor kept in a gallon on a
motorcycle. On seeing the police, two accused persons managed
to escape.

The learned counsel for the petitioner submits that the
petitioner admittedly was not arrested from the spot and as such,



nothing was recovered from his conscious possession. He came to be implicated based on the fact that the motorcycle belongs to him. It is next submitted that the learned counsel submits that the petitioner had given his motorcycle to Chandan, who is his friend, for some work and as such, he was completely unaware he misused the vehicle for illegal purpose.

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 Kazi Mohammadpur P. S. Case No.264 of 2020, 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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