

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28594 of 2022

Arising Out of PS. Case No.-315 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Laxmi Kumar, S/O Late Surendra Ray Resident Of Village- Korbaddha, Ward
No. 02, P.S.- Muffasil, District- Samastipur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan
For the Opposite Party/s : Mr. Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-08-2022 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 Section 30(a)
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 24.660 litre of liquor from a sack from the
courtyard of petitioner's house.

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 submitted that the
courtyard is an open place, as such, is accessible to people at



large. It is next submitted that the house is a joint family property and as such, police in a mechanical manner implicated the petitioner without holding a proper inquiry.

The learned Additional Public Prosecutor opposes the anticipatory 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 from today, 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 learned Court below where the case is pending in connection with Excise Case No.315 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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