

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31324 of 2022**

Arising Out of PS. Case No.-529 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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Baban Kumar @ Bhattu S/O Balram Kumar Singh Resident Of Village-
Hasna, P.S.- Gayghat, District- Muzaffarpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Ms. Pronoti Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-08-2022 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 has antecedent of two cases and the allegation is of
recovery of 06 litre of liquor from a bag thrown near Kali
Temple which was earlier in possession of the person, who fled
away.

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 further submitted
that the petitioner came to be implicated by the police at the
behest of the villagers. It is next submitted the name of the



petitioner was disclosed by the villagers, but the F.I.R. does not event remotely suggest the name of the villager, who disclosed the name of the petitioner. The learned counsel submits that since the petitioner is having antecedent, as such, police falsely implicated the petitioner in order to save the real culprit.

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 Excise Case No.529 of 2021, P.R. No.23 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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