

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36011 of 2022

Arising Out of PS. Case No.-171 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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1. Prem Singh, S/O Late Kailash Singh Resident Of Village- Marhi, P.S.- Sirdala, District- Nawada.
 2. Dhanraj Singh, S/O Late Dhanu Singh Resident Of Village- Marhi, P.S.- Sirdala, District- Nawada.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar

For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-11-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in anticipation of their arrest
in a case registered for the offences punishable under Sections
30(a) and 56(b) of the Excise Act, 2016.

The learned counsel for the petitioners submits that
the petitioners are persons with clean antecedent and the
allegation is of recovery of 4000 litres of mahua jawa which
was destroyed at the spot and 160 litres of liquor from a jungle
of village Marhi Kalaunda and 40 litres of liquor from a
motorcycle.

The learned counsel for the petitioners submits that



petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession. It is next submitted that petitioners are neither the owner, nor the driver of the motorcycle and even alleged recovery is from a place which is accessible to public at large and the name of the petitioners transpired in the statement of the villagers, but then F.I.R. does not disclose the name of any of the villagers.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with G.O. Case No.171 of 2022, 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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