

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39489 of 2022

Arising Out of PS. Case No.-557 Year-2020 Thana- ARARIA District- Araria

Rabindra Kumar Pandit @ Ravi, Son Of Shiv Kumar Pandit @ Shiu Kumar Pandit R/O- Vill- Bhavnagar Siliguri, P.S.- Bhaktinagar, District- Darjeeling, West Bengal

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-08-2022 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, 2016.

The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the allegation is of recovery of 2232 litres of liquor from a truck. Further, 3546 litres of liquor from another 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 petitioner is neither the owner, nor the driver of any of the



truck detailed in the F.I.R. and his name transpired in the confessional statement of Balbindar Singh while in custody which has no evidentiary value.

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. 5,000/- (Rupees Five 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 Special Case No.567 of 2020 arising out of Araria P. S. Case No.557 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

