

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43383 of 2022

Arising Out of PS. Case No.-875 Year-2020 Thana- SONEPUR District- Saran

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Balinder Rai @ Balinder Kumar Rai S/O Lakshman Ray R/O Village-
Rahimpur, P.S. And P.O.- Sonepur, District- Saran (Chapra)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saket Anand

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-08-2022 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 Sections
30(a), 38, 40(i) of the Excise Act.

The learned counsel for the petitioner submits that the
petitioner has antecedent of one case and the allegation is of
recovery of 02 litres of liquor from a gallon from the bushes at
Kalu Ghat, Diyara.

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 he came to be implicated based on secret information which
is the easiest way to implicate a person in order to save the real



culprit. It is also submitted that in the nature of allegation if the petitioner is sent to jail, then it would be a travesty of justice as the recovery was from a place which is accessible to the public at large.

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. 2,000/- (Rupees Two 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 Sonapur P. S. Case No.875 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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