

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53618 of 2022

Arising Out of PS. Case No.-97 Year-2021 Thana- KURSAKANTA District- Araria

Prem Kumar Sah, S/O Ram Prasad Sah Resident Of Village- Kouwakoh, P.S.- Sikty, District- Araria.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-10-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

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 06 litres of liquor from the dickey of a motorcycle.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case as he was not arrested from the spot, as such, nothing was recovered from his conscious possession. It is also submitted that he had already sold the bike to Vikash Mandal, who was arrested when



search was made, but since the alleged documents of the motorcycle was in the name of the petitioner, as such, the petitioner came to be implicated.

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 Kursakanta P. S. Case No.97 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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