

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.604 of 2022

Arising Out of PS. Case No.-119 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Saran

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Chhotelal Nut, Son Of Dhorha Nut Resident Of Village - Barhopur, P.S.-
Baniyapur, Distt.- Saran (Chapra)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra
For the Opposite Party/s : Mr. Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-07-2022 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
recovery of 09 litre of liquor from a plastic gallon from the back
side of the hut of co-accused.

The learned counsel for the petitioner submits that
petitioner was not apprehended from the spot, as such, nothing
was recovered from his conscious possession, nor the recovery
is alleged to have been made from the house rather recovery is



from a place outside his house with which petitioner has no concern and his name transpired based on secret information at the instance of his enemies.

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

Considering the submissions made by the learned counsel for the petitioner and in the nature of recovery, 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. 1,000/- (Rupees One 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.119 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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