

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.642 of 2022

Arising Out of PS. Case No.-369 Year-2021 Thana- MAHUA District- Vaishali

Abhishek Kumar @ Raja Rai, Son Of Lalgir Rai @ Lalgir Ray Resident Of
Village - Mahua Singh Rai , Police Station - Mahua In The District Of
Vaishali.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

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 Sections
30(a), 32(ii), 38(ii), 41(i) of the Excise Act.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 2023.560 litre of liquor from a pick-up van.

The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his possession. Petitioner is neither the owner,
nor driver of the pick-up van. It is further submitted that
petitioner came to be falsely implicated at the behest of the



excise officials.

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

Considering the submissions made by the learned counsel for the petitioner and the fact that the petitioner is a person with clean antecedent and nothing was recovered from his conscious possession, 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. 5,000/- (Rupees Five 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 Mahua P. S. Case No.369 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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