

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68891 of 2022

Arising Out of PS. Case No.-200 Year-2021 Thana- KUCHAIKOTE District- Gopalganj

Ashok Sahani, S/O Ramasharya Sahani, Resident Of Village- Mungaraha,
P.I.- Mungaraha, P.S.- Manjhagarh, District- Gopalganj.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Upadhyay
For the Opposite Party/s : Ms. Indu Kumari Srivastava

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-12-2022 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, 2018.

The learned counsel for the petitioner submits that the
petitioner has antecedent of three cases and the allegation is of
recovery of 495 litres of country-made liquor along with 125.82
litres of foreign liquor i.e. total 620.52 litres of liquor from a
Creta car.

The learned counsel for the petitioner submits that
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 confessional statement



of Gufran Ali in police custody which does not have any evidentiary value. It is also submitted that the vehicle even does not belong to the petitioner and he came to be implicated by the police through Gufran Ali because of his antecedent.

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. 25,000/- (Rupees Twenty 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 Kuchaikot P. S. Case No.200 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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