

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68834 of 2022

Arising Out of PS. Case No.-252 Year-2019 Thana- MOUZA HIDPUR District- Bhagalpur

Harish Chandra Kumar, Son Of Vishundeo Singh Resident Of Village-
Fatehpur Bala, P.S.- Musrigharai, District- Samastipur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Shailendra Kumar

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 Sections
30(a), 30(g)/ 32(ii) of the Excise Act, 2016.

The learned counsel for the petitioner submits that the
petitioner has antecedent of five cases and the allegation is of
recovery of 2239.125 litres of liquor from a truck.

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 co-accused in police custody. It is further submitted that
petitioner is neither the owner, nor the driver of the alleged truck



and he came to be implicated because of his antecedents.

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 Mojahidpur P. S. Case No.252 of 2019, 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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