

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18037 of 2023

Arising Out of PS. Case No.-553 Year-2022 Thana- GORAUL District- Vaishali

Rakesh Kumar, S/O Ashok Ray @ Ashok Kumar Resident Of Village- Piroi,
P.S.- Goraul District- Vaishali.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-05-2023 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 272,
273 of the I.P.C. and Sections 30(a), 32(ii), 38(ii), 41(i) of the
Excise Act, 2018.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of total 957 litre of liquor from a Maruti car, pick-up
van and two motorcycles.

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 petitioner is neither the owner, nor the driver of any of the



alleged seized vehicle and he came to be implicated on the disclosure made by the local Chaukidar with whom he is on an inimical term, when admittedly, petitioner is a person with clean 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. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.1-cum-Additional District & Sessions Judge, Vaishali at Hajipur in connection with Gorual P. S. Case No.553 of 2022, 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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