

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17984 of 2023

Arising Out of PS. Case No.-796 Year-2022 Thana- SONEPUR District- Saran

Umesh Rai @ Umesh Kumar Yadav @ Jali Rai, Son Of Satya Narayan Rai
Resident Of Village - Murthan, P.S.- Sonepur, Distt.- Saran At Chapra

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Vijay Kumar
For the Opposite Party/s :	Mr. Madan Kumar
	Ms. Rajani Kumari

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 Section 30(a)
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 30 litre of liquor from Bamboo clump.

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 even the Bamboo clump does not belong to the petitioner
and he came to be implicated based on disclosure made by the



local people, but then the F.I.R. does not disclose the name of the local people which creates doubt with regard to the veracity of the allegation as alleged in the F.I.R., when petitioner, admittedly, 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 A.D.J.-X-cum-Special Judge Excise, Saran at Chapra in connection with Sonapur P. S. Case No.796 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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