

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21012 of 2023**

Arising Out of PS. Case No.-57 Year-2019 Thana- RAJEPUR District- East Champaran

Bhola Kumar @ Bhullu @ Laldeo Bhagat, Son Of Rajendra Bhagat R/O
Village- Senduari (SENWARI), P.S.- Motipur, District- Mzuaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Rana Randhir Singh

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 15-05-2023 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, 420/34 of the I.P.C. and Section 30(a) of the Excise Act.

The learned counsel for the petitioner submits that the
petitioner has antecedent of two cases and the allegation is of
recovery of 88,000 litre of spirit from a truck. Further, one
Ganesh Kumar was apprehended.

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 the vehicle
and he came to be implicated at the instance of Ganesh Kumar



in police custody which does not have any evidentiary value. It is further submitted that police falsely implicated the petitioner through Ganesh Kumar based on 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. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court-1, East Champaran, Motihari in connection with Rajepur P. S. Case No.57 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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