

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22797 of 2023

Arising Out of PS. Case No.-20 Year-2023 Thana- SHAHKUND District- Bhagalpur

1. Rajendra Prasad Singh, Son Of Late Neem Prasad Singh @ Late Bheem Pd. Singh Resident Of Village- Narayanpur, P.S.- Shakhund (Sajour), District- Bhagalpur.
2. Kewal Kumar @ Kevi Kumar, S/O Rajendra Prasad Singh Resident Of Village- Narayanpur, P.S.- Shakhund (Sajour), District- Bhagalpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Ms.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Section 30(a) of the Excise Act, 2016.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the allegation is of recovery of 5.10 litre of liquor from the cowshed of petitioner no.1 kept in a bag.

The learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession. It is next submitted that even the alleged recovery is from a place though belongs to



petitioner no.1, but then accessible to villagers at large. It is also submitted that no prudent persons would keep liquor in their own cowshed and thus, would get implicated easily. It is further submitted that since the petitioners are having strained relationship with the Chaukidar and thus, they came to be implicated.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge Exclusive Excise Court No.2, Bhagalpur in connection with Shahkund (Sajour) P. S. Case No.20 of 2023, 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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