

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20973 of 2023

Arising Out of PS. Case No.-163 Year-2022 Thana- MUSRIGHRARI District- Samastipur

1. Ramesh Singh @ Ramesh Mahto, Son Of Ram Sakal Singh R/V- Gangapur Ps- Musrigharari Dist- Samastipur
2. Rakesh Kumar @ Rakesh Singh, Son Of Ramesh Singh @ Ramesh Mahto R/V- Gangapur Ps- Musrigharari Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh- Advocate
For the State : Mr. Chandra Bhushan Prasad- A.P.P.

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.

The learned counsel for the petitioners submits that
the petitioners are persons with clean antecedent and the
allegation is of recovery of 14.580 litre of liquor from the
cowshed of Ramesh Singh (petitioner no.1).

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 the cowshed is an open space which is accessible to public at large and as such, it cannot be alleged with certainty that it was petitioner no.1, who had kept the liquor in that place. It is next submitted that petitioners came to be implicated based on secret information which is the easiest way to implicate someone when admittedly petitioners are persons with clean antecedent.

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, is 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 Excise-01, Samastipur in connection with Musrigharari P. S. Case No.163 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

