

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21223 of 2023

Arising Out of PS. Case No.-39 Year-2023 Thana- KUDHNI District- Muzaffarpur

Umesh Rai, Son Of Late Japan Rai Resident Of Village-Chadhuan, P.S.-
Kudhani, District-Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur

For the Opposite Party/s : Mr. Kanhaiya Kishore (APP100)

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 Section 30(a)
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 15 litre of liquor from a glamour motorcycle.

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 the petitioner, being owner of the vehicle, came to be
implicated. It is next submitted that no prudent person would
use his own vehicle for committing a crime and thus, would get



implicated easily. The learned counsel further submits at the cost of repetition that 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 Judge, Excise, Court No.II, Muazaffarpur in connection with Kudhani P. S. Case No.39 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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