

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23329 of 2023

Arising Out of PS. Case No.-58 Year-2023 Thana- GAUTAMBUDHNAGAR District- Siwan

1. Dharmendra Bind @ Dharmendra Kumar Son Of Sudama Bind @ Sudama Prasad R/V- Dihiya Ps- G.B. Nagar, Dist- Siwan
2. Kanhaiya Bind @ Kanhaiya Prasad Son Of Bhoja Prasad R/V- Dihiya Ps- G.B. Nagar, Dist- Siwan
3. Ramjeet Bind @ Ramjeet Prasad Son Of Shivcharan Prasad R/V- Dihiya Ps- G.B. Nagar, Dist- Siwan

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramchandra Singh
For the Opposite Party/s : Mr.Md. Fahimuddin

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 Sections 30(D),
30(a), 34, 36, 41(i) 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 95 litre of liquor from Dihiya Chawar village kept
in a plastic sack.

The learned counsel for the petitioners submits that
petitioners were not arrested from the spot, as such, nothing was
recovered from their conscious possession and even recovery is



from a place which is accessible to public at large and do not belong to the petitioners and they came to be implicated disclosure made by local people, but then, F.I.R. does not disclose the name of the local people, who disclosed the name of the petitioners, creates doubt with regard to the veracity of the allegation as alleged in the F.I.R. It is further submitted that petitioners because of their antecedent came to be implicated falsely by the police.

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 A.D.J.-cum-Special Judge (Excise)-1, Siwan in connection with G.B. Nagar P. S. Case No.58 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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