

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22774 of 2023**

Arising Out of PS. Case No.-98 Year-2023 Thana- MOTIHARI MUFASIL District- East  
Champaran

=====

Raj Kumar Prasad @ Raj Kumar Son Of Ramagya Sah Resident Of Village-  
Barwa, Ps- Lakhaura, Distt- East Champaran Presently Residing At- Bk No.  
B80, Room No. 180, Gijra Para, Ner Kali Mata Mandir, Ulhasnagar 5, Ps-  
Ulhasnagar, Distt- Thane, Maharastra

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar Singh

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 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  
30(a), 32, 41(1) of the Excise Act.

The learned counsel for the petitioner submits that the  
petitioner is a person with clean antecedent and the allegation is  
of recovery of 32.205 litre of liquor from an open field kept in a  
jerkin.

The learned counsel for the petitioner submits that  
petitioner was not arrested from the spot, as such, nothing was  
recovered from his conscious possession, even the open field is



of Subodh Sah and the petitioner came to be implicated based on disclosure made by the Chaukidar with whom, he is on an inimical term, when admittedly, 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 Excise Court No.1, East Champaran, Motihari in connection with Motihari Muffasil (Lakhaura) P. S. Case No.98 of 2023, 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 |  |
|---|--|---|--|

