

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31742 of 2023

Arising Out of PS. Case No.-226 Year-2021 Thana- KAMTAUL District- Darbhanga

Ranjan Choudhary, Son Of Bhumi Choudhary Mohalla- Prem Nagar-2, Y-64
Gali No5, Adarsh Enclave Ps- Aman Vihar Dist- North West Delhi

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha
For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 13-07-2023 1. The learned counsel for the petitioner is permitted to remove the defects as pointed out by the office during course of the day.
2. Heard learned counsel for the petitioner and learned APP for the State.
3. 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.
4. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the allegation is of recovery of 153.45 litres of liquor from a Maruti car parked near the house of Mukund Kumar.
5. The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was



recovered from his conscious possession and he came to be implicated based on the fact that he is owner of the seized vehicle. It is next submitted that no prudent person would use his own vehicle for committing a crime and thus, would create evidence against himself and hence, would get implicated. It is next submitted that petitioner was completely unaware that his neighbour would misuse his vehicle in the manner as alleged.

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

7. 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 Special Judge-1, Excise Act, Darbhanga in connection with Kamtaul P. S. Case No.226 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

(Satyavrat Verma, J)

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