

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25334 of 2023

Arising Out of PS. Case No.-346 Year-2022 Thana- KHIJARSARAI District- Gaya

1. Lalan Kumar Son Of Deocharan Yadav R/V- Koshaila, Ps- Mahkar, Dist- Gaya
2. Gayatri Kumari Daughter Of Madheshwar Yadav R/V- Ramgang, Ps- Ghosi, Dist- Jehanabad

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-05-2023 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, 2022.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the allegation is of total recovery of 05 litres of liquor from two motorcycles and Nitish Kumar and Sahil Kumar were arrested

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 petitioners, being the owner of the vehicles, came to be implicated. 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 petitioners were completely unaware that Nitish Kumar and Sahil Kumar would misuse their vehicles in the manner as alleged.

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 Exclusive Special Excise Court No.2, Gaya in connection with Khizersarai (Sarbahda O.P.) P. S. Case No.346 of 2022, 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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