

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25075 of 2023

Arising Out of PS. Case No.-287 Year-2022 Thana- BARHIYA District- Lakhisarai

Gautam Kumar @ Bittu Kumar, Son Of Shree Ramesh Kumar Singh Resident
Of Village Dumari, Ward No 4, Ps Barahiya, Distt- Lakhisarai

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Navin Kumar

For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-05-2023 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 90 litres of liquor from a car.

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 he came to be implicated being owner of the car. It is
further submitted 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, 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 A.D.J.-4-cum-Special Judge Excise Court-1, Lakhisarai in connection with Barahiya P. S. Case No.287 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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