

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25362 of 2023

Arising Out of PS. Case No.-438 Year-2021 Thana- BARH District- Patna

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Rahul Kumar @ Rahul Sao, Son Of Late Bhola Prasad Resident Of
Dayachak, P.S.-Barh, District-Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Ms. Kumari Pallavi
		Mr. Manoj Kumar Pandey
For the Opposite Party/s :		Mr. Shyam Bihari Singh

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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 61 litres of liquor from an auto.

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 at the instance of local people, but then, the F.I.R.
does not disclose the name of the person, who disclosed the



name of the petitioner, which creates doubt with regard to the veracity of the allegation as alleged in the F.I.R. It is further submitted that petitioner is not the owner of the auto.

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 Special Judge Excise, Barh, Patna in connection with Barh P. S. Case No.438 of 2021, 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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