

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27266 of 2023

Arising Out of PS. Case No.-3 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhepura

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Suraj Das, Son Of Late Suresh Das R/V- Singheswar Sattu Galli, Ward No. 2,
Ps- Singheswar Dist- Madhepura

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Singh

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-05-2023 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 21.600 litre of cough syrup from the house of the
petitioner.

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 the house is a joint family property, as such, it cannot be



alleged with certainty that it was the petitioner, who had kept the cough syrup in the house or the cough syrup kept in the house was within the knowledge of the petitioner, 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. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VII-cum-Special Judge Excise-II, Madhepura in connection with Excise Case No.160 of 2022 arising out of Madhepura Excise P. S. Case No.03 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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