

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30862 of 2023

Arising Out of PS. Case No.-32 Year-2022 Thana- BITHAN BAZAR District- Samastipur

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Pankaj Kumar @ Pankaj Kumar Yadav @ Pankaj Yadav, S/O Uma Yadav @ Umakant Yadav Resident Of Village- Belsandi, P.S.- Bithan, District- Samatipur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Yadav

For the Opposite Party/s : Mr.Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-05-2023 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, 2016.

The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the allegation is of recovery of 188 litre of liquor from a bank of river.

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 even the alleged recovery is from a place, which is accessible to public at large and does not belong to the petitioner and he came to be



implicated at the instance of Chaukidar with whom he is on an inimical term.

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 Excise Court-1, Samastipur in connection with Bithan P. S. Case No.32 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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