

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29130 of 2023

Arising Out of PS. Case No.-41 Year-2022 Thana- DEOKUND District- Aurangabad

Mohan Choudhary, Son Of Munni Lal Choudhary Resident Of Village-
Inglish, P.S.-Barun, District-Aurangabad, Bihar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikas Kumar Jha

For the Opposite Party/s : Ms.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-05-2023 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 Sections
30(a) of the Excise Act, 2018 and Section 37 of the Excise Act,
2022.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 01 litre of liquor from a motorcycle and one
person was arrested.

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 petitioner, being the owner of the vehicle, came to be



implicated. It is next submitted that no prudent person would use his own motorcycle for committing a crime and thus, create evidence against himself and would get implicated easily.

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 Second, Aurangabad in connection with Devkund P. S. Case No.41 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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