

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29202 of 2023

Arising Out of PS. Case No.-92 Year-2022 Thana- TISIAUTA District- Vaishali

Akash, Son Of Sita Ram Paswan Resident Of Village - Firojpur Asali, P.O. -
Maniyari, P.S. - Sakara, Dist. - Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Nagendra Prasad

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 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 34.545 litre of liquor from a motorcycle.

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 had already sold the motorcycle to one Rajesh
Kumar Yadav on 05.04.2022. It is next 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 easily. It is further submitted that since the motorcycle was already sold, as such, the petitioner had no concern with the seized motorcycle.

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-II, Vaishali at Hajipur in connection with Tisiauta P. S. Case No.92 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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