

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32209 of 2023

Arising Out of PS. Case No.-33 Year-2022 Thana- BHIMPUR District- Supaul

Md Khudush @ Md Kudus Son Of Md. Tahir Resident Of Village - Dubyahi,
Chhit Tola, P.S. - Pipra, District - Supaul

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Rabindra Kumar- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-05-2023 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), 41(1) 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 1260 litres of liquor from a pick-up van.

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, being owner of the pick-up van. 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. It is next submitted that petitioner was completely unaware that hirer of the pick-up van in connivance with the driver would misuse the vehicle in the manner as alleged as no prudent businessman would bring his disrepute to his business by alleging in such activity.

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 A.D.J.-IV, Supaul in connection with Bhimpur P. S. Case No.33 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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