

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30839 of 2023

Arising Out of PS. Case No.-598 Year-2022 Thana- BHAGWAN BAZAR District- Saran

1. Vinod Chaudhary @ Vinod Bin Nishad Son Of Ramraj Chaudhary R/O Village - Naviganj, Bindtoli, P.S.- Bhagwan Bazar, District - Saran.
2. Vikash Chaudhary @ Vikash Bin Nishad Son Of Harihar Chaudhary @ Harihar Mahato R/O Village - Naviganj, Bindtoli, P.S.- Bhagwan Bazar, District - Saran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anjani Parashar

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in anticipation of their arrest in
a case registered for the offences punishable under Section 30(a)
of the Excise Act, 2018.

The learned counsel for the petitioners submits that the
petitioner no.1 has antecedent of one case and petitioner no.2 has
antecedent of two cases and the allegation is of recovery of
135.670 litre of liquor from the place of occurrence.

The learned counsel for the petitioners submits that
petitioners were not arrested from the spot, as such, nothing was
recovered from their conscious possession. It is next submitted
that the petitioners came to be implicated based on secret
information, which is the easiest way to implicate someone. It is
further submitted that police in order to save the real culprit



implicated the petitioner based on secret information, when admittedly petitioners are persons with clean antecedent and even the alleged recovery is from a place, which is accessible to public at large and do not belong to the petitioners.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge, 2nd -cum- 1st Exclusive Special Excise Court, Saran in connection with Bhagwan Bazar P. S. Case No.598 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

