

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30996 of 2023

Arising Out of PS. Case No.-269 Year-2022 Thana- GOGRI District- Khagaria

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Pritam Kumar Yadav @ Pritam Yadav @ Priyam Yadav Son Of Chandeshwari
Yadav @ Chano Yadav R/O Village- Sherghati, P.S.- Gogri, District- Khagaria
... .. Petitioner/S

Versus

The State Of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar
For the Opposite Party/s : Mr.Shyam 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, 2018.

The learned counsel for the petitioner submits that the
petitioner has antecedent of one case and the allegation is of
recovery of 300 litre of Codeine syrup recovered from Basa of
Chano Yadav.

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 further submitted
that the Excise Law is leading to different kind of crimes and
one of them is crime of present nature as alleged in the FIR. It is
also submitted that entire generation have gone haywire and



young people in the age group of 18-22 are worst hit as the liquor case provides easy opportunity of earning money, even the Basa (out house) is an open space and accessible to villagers at large. It is next submitted that no prudent person would use his own premises for committing a crime and thus would get implicated easily. It is next submitted that it appears that some villagers inimical to the family of the petitioner in order to falsely implicate, may have kept the syrup in the Basa of the petitioner.

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. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Excise Judge-Ist, Khagaria in connection with Gogri P. S. Case No.269 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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