

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31319 of 2023

Arising Out of PS. Case No.-408 Year-2021 Thana- BUDDHACOLONY District- Patna

Pradeep Kumar Son Of Dinesh Rai R/O- Chakaram Chak, P.S.- Buddha Colony, District - Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-05-2023 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 two cases and the allegation is of
recovery of 15 litres of liquor from a place near the house of the
petitioner.

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 the alleged
recovery is from a place which does not belong to the petitioner
and is accessible to public at large and he came to be implicated



by the villagers, but then, the F.I.R. does not record the name of the villagers, who disclosed the name of the petitioner, which further creates doubt with regard to the veracity of allegation in the F.I.R.

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 Judge, Excise Act, Patna in connection with Special Case No.7227 of 2021 arising out of Buddha Colony P. S. Case No.408 of 2021, 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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