

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31315 of 2023

Arising Out of PS. Case No.-285 Year-2023 Thana- AURANGABAD TOWN District-
Aurangabad

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Satish Kumar @ Chhotu Son Of Late Bigan Soni @ Rajkumar Prasad Soni
Resident Of Village - Kali Badi (Boddha Mahadeo Sthan), Surya Mandir
Road, P.S.- Town, District - Aurangabad.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Anand

For the Opposite Party/s : Ms.Rita Verma

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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 is a person with clean antecedent and the allegation is
of recovery of 169.04 litres of liquor from a ditch 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. It is next submitted
that even the alleged recovery is from place, which does not



belong to the petitioner and is accessible to public at large and he came to be implicated by the local people, but the F.I.R. does not record the name of the local people, who disclosed the name of the petitioner, which further creates doubt with regard to the veracity of allegation in the F.I.R., when admittedly petitioner is a person with clean antecedent.

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 Court No.1, Aurangabad in connection with Town P. S. Case No.285 of 2023 arising out of ABP No.601 of 2023, 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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