

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32086 of 2023

Arising Out of PS. Case No.-259 Year-2023 Thana- AURANGABAD TOWN District-
Aurangabad

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1. Mukesh Kumar @ Babu Son Of Sarju Prasad @ Saryu Prasad Gupta Village- Shahpur Akhada PS- Aurangabad Town, Dist- Aurangabad
 2. Shambhu Sao @ Shambhu Kumar Gupta Son Of Late Matha Bhat Village- Shahpur Akhada Ps- Aurangabad Town, Dist- Aurangabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aman Vishal

For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-05-2023 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 petitioners are persons with clean antecedent and the
allegation is of recovery of 34.380 litres of liquor from a
motorcycle.

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 petitioners are not the owner of the motorcycle and they came to be implicated by local people, but then, the F.I.R. does not record the name of the local people, who disclosed the name of the petitioners, when admittedly petitioners are persons with clean antecedent.

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. 1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court No.01, Aurangabad in connection with Aurangabad Town P. S. Case No.259 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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