

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32131 of 2023

Arising Out of PS. Case No.-150 Year-2021 Thana- SONEPUR District- Saran

Rajan Sah @ Rajan Kumar @ Ranjan Kr. Son Of Binda Sah R/O Vill.- Dumar
Sah Tola, Madhopur, P.S.- Madhopur O.P., Distt.- Gopalganj.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saroj Kumar Choudhary

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-05-2023 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 Sections 30,
38, 40(i), 37(b)(c) of the Excise Act, 2016.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 5066.640 litre of liquor from a truck, motorcycle
and a scooty and three persons were arrested.

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 he came to be implicated based on confessional statement
of co-accused in police custody, which does not have any



evidentiary value. It is further submitted that petitioner is not the owner of any of the seized vehicles.

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. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Exclusive Special Excise Court, Saran at Chapra in connection with Sonapur P. S. Case No.150 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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