

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40081 of 2023

Arising Out of PS. Case No.-229 Year-2023 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Satyam Kumar, S/O Shivraj Thakur R/O Village- Jagdishpur Rami, Ps.
Samastipur Muffasil, Dist. Samastipur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad
For the Opposite Party/s : Mr.Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-07-2023 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, 2022.

The learned counsel for the petitioner submits that the
petitioner has antecedent of one case and the allegation is of
recovery of 26.700 litres of liquor from a motorcycle.

The learned counsel for the petitioner submits that the
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and he came to be
implicated based on confessional statement of Manish Kumar
Rai in police custody, which does not have any evidentiary



value. It is next submitted that petitioner is not the owner of the seized vehicle.

The learned Additional Public Prosecutor opposes the anticipatory 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 from today, 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 learned I/c Exclusive Special Judge Excise-1, Samastipur in connection with Samastipur Muffasil P. S. Case No.229 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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