

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42576 of 2023

Arising Out of PS. Case No.-84 Year-2019 Thana- SALIMPUR District- Patna

1. Siyaram Ray @ Singesar Ray, Son Of Vishnu Ray Resident Of Village - Madaha, P.S.- Raghapur, District - Vaishali.
2. Harendra Rai @ Ranjit Kumar Rai @ Ranjit Kumar, Son Of Bisheshwar Rai Resident Of Village - Jafrabad, P.S.- Raghapur, District - Vaishali.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-07-2023 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 Sections 30(a), 32(1)(2), 38(1)(2), 41(1), 47 of the Excise Act, 2018.

The learned counsel for the petitioners submits that the petitioners have antecedent of one case and the allegation is of recovery of 3476.25 litres of liquor from a truck and two pick-up van as detailed in the F.I.R.

The learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and they came to be



implicated based on confessional statement of Ganesh Kumar in police custody, which does not have any evidentiary value. It is next submitted that petitioners are not the owner of the seized vehicle.

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. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Barh, Patna in connection with Salimpur P. S. Case No.84 of 2019, 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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