

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42721 of 2023

Arising Out of PS. Case No.-75 Year-2023 Thana- LAHERIYASARAI District- Darbhanga

1. Rohit Sahni @ Rohit Kumar Son Of Ram Narayan Sahni Mohalla-
Bakarganj, Ps- Laherisarai Dist- Darbhanga
2. Basu Yadav @ Basu Kumar Son Of Raj Kumar Yadav Mohalla- Abhanda
Ps- Laherisarai Dist- Darbhanga

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha

For the Opposite Party/s : Mr.Yogendra 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 Section
30(a) of the Excise Act, 2018 and Section 120(B) of the I.P.C.

The learned counsel for the petitioners submits that
the petitioners are persons with clean antecedent and the
allegation is of recovery of 77.76 litres of liquor from a car and
two motorcycles 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 he came to be



implicated based on confessional statement of Guddu Mandal 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. 1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise-IIInd, Darbhanga in connection with Laheriasarai P. S. Case No.75 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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