

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41606 of 2023

Arising Out of PS. Case No.-170 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

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Salauddin Ansari, Son Of Suleman Ansari Resident Of Village-1560 Raja Bazar, Govindpur, F, Thermal Bokaro, P.S.-Govindpur, District-Bokaro (Jharkhand)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-07-2023 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 Sections
30(a), 56(2)(ii) 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 8.640 litres of liquor from a truck.

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 petitioner being owner of the truck came to be implicated. It
is further submitted that no prudent person would use his own



vehicle for committing a crime and thus, would create evidence against himself and hence, would get implicated and that too for such a meager amount of liquor. It is next submitted that petitioner was completely unaware that the driver of the vehicle would misuse the vehicle in the manner as alleged, who was also apprehended from the spot.

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. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-2, Nawada in connection with Nawada Excise P. S. Case No.170 of 2023, P.T.N.583 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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