

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42495 of 2023

Arising Out of PS. Case No.-31 Year-2023 Thana- SONBERSA District- Sitamarhi

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Raja Kumar @ Raja Babu, Son Of Rajan Sah @ Rajan Kumar @ Rajan Prasad R/O Village - Bhavdepur, P.S.- Riga, Dist.- Sitamarhi.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-07-2023 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 414
of the I.P.C. and Section 30(a) of the Excise Act, 2018.

The learned counsel for the petitioner submits that the
petitioner has antecedent of five cases and the allegation is of
recovery of 252 litres of liquor from a Bolero vehicle.

The learned counsel for the petitioner submits that
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 Ayush Jha in
police custody, which has no evidentiary value and even
petitioner is not the owner of the seized vehicle and he came to



be implicated because of his antecedents by the police through Ayush Jha.

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. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-1, Sitamarhi in connection with Sonbarsa P. S. Case No.31 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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