

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39949 of 2023

Arising Out of PS. Case No.-121 Year-2023 Thana- UCHKAGAON District- Gopalganj

Sandeep Kumar, Son Of Om Prakash Singh Resident Of Village Chhotka
Sakhe, Ps- Uchakagaon, District- Gopalganj (BIHAR), Pin Code- 841438

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Roy- Advocate

For the Opposite Party/s : Mr.Chandra Bhushan Prasad- A.P.P.

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)
(b) of the Excise Act, 2022.

The learned counsel for the petitioner submits that the
petitioner has antecedent of two cases and the allegation is of
recovery of 567 litres of liquor from a Bolero vehicle and 18
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 Vikash Kumar in
police custody, which does not have any evidentiary value. It is



next submitted that petitioner is not the owner of any of the seized vehicles.

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. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-II-cum-Special Judge, Excise Court-1, Gopalganj in connection with Uchakagaon P. S. Case No.121 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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