

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43749 of 2023

Arising Out of PS. Case No.-121 Year-2023 Thana- KAUWAKOL District- Nawada

1. Arjun Murmu, Son Of Budhan Murmu Resident Of Village- Gayghat, Ps- Kawakole, District- Nawada
2. Mahesh Murmu, Son Of Rupan Murmu Resident Of Village- Gayghat, Ps- Kawakole, District- Nawada
3. Manjhu Marandi, Son Of Chaube Marandi Resident Of Village- Gayghat, Ps- Kawakole, District- Nawada

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Nandan Prasad
For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 14-07-2023 1. Heard learned counsel for the petitioners and learned APP for the State.
2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 30(a), 30(D), 41 of the Excise Act.
3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the allegation is of recovery of 70 litres of liquor from the Forest of Nawada.
4. 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 secret information, which is the easiest way to implicate someone, when admittedly petitioners are persons with clean antecedent. It is next submitted that even the alleged recovery is from a place, which is accessible to public at large.

5. Learned A.P.P. opposes the bail application.

6. 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 Exclusive Special Excise Court No.2, Nawada in connection with Kawakole P. S. Case No.121 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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