

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44655 of 2023

Arising Out of PS. Case No.-230 Year-2022 Thana- RAIL JHAJHA District- Jamui

Devrishi Kumar @ Baba, Son Of Rajwali Ray R/O Village- Garhochak, Ps-
Nadi, Dist- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avinash

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-07-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 30(a) of the Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case and the allegation is of
recovery of 33 litres of liquor from Bhim Mandal. Further,
199.5 litres of liquor from Coach S-7 of Puri-Patna Express
Train.

4. 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 Bhim Mandal in



police custody, which does not have any evidentiary value. 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 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. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Presiding Officer, Exclusive Excise Court-1, Jamui in connection with Jhajha P. S. Case No.230 of 2022 dated 24.12.2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

