

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45665 of 2023

Arising Out of PS. Case No.-69 Year-2023 Thana- PAROO District- Muzaffarpur

Mahendra Bhagat, Son Of Patiram Bhagat Resident Of Village - Gariba,
Paroo, P.S. - Paroo, Distt. - Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar

For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-07-2023 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 two cases and the allegation is
of recovery of 2.7 litres of liquor from a motorcycle and 31.66
litres of liquor from an open field.

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 Md. Akhtar,
which does not have any evidentiary value. It is next submitted



that petitioner is not the owner of the seized motorcycle.

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. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court No.II, Muzaffarpur in connection with Paroo P. S. Case No.69 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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