

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46646 of 2023

Arising Out of PS. Case No.-99 Year-2023 Thana- KHANPURA District- Samastipur

Arjun Kumar @ Arjun Mahto, Son Of Bauwal Mahto Resident Of Village-
Hariyabad Chakka, Police Station-Khanpur, District-Samastipur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-07-2023 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 62.01 litres of liquor from the house of petitioner.

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. It is next submitted
that he came to be implicated at the instance of Chaukidar with
whom he is on an inimical term. It is next submitted that even
the house, which is a joint family property and thus, it cannot be



alleged with certainty that it was the petitioner, who had kept the liquor in the house or the liquor kept in the house was within his knowledge and he came to be implicated by the Chaukidar because of his antecedent.

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 Special Judge, Excise-1, Samastipur in connection with Khanpur P. S. Case No.99 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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