

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48104 of 2023

Arising Out of PS. Case No.-29 Year-2022 Thana- DANAPUR District- Patna

Pradeep Kumar @ Pradeep Son Of Rama Shankar Rai Resident Of Village -
Sultanpur, P.S. - Danapur, Distt. - Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-07-2023 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 2160 litres of liquor from a Magic vehicle, scooty
and two motorcycles as detailed in the F.I.R.

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 Vicky Kumar and
Mantosh Kumar in police custody, which does not have any



evidentiary value. It is further submitted that petitioner is not the owner of any of the seized vehicle.

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, Danapur, Patna in connection with Special Case No.45 of 2022 arising out of Danapur P. S. Case No.29 of 2022, 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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