

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48097 of 2023

Arising Out of PS. Case No.-52 Year-2023 Thana- FULKAHA District- Araria

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Bhuvneshwar Singh @ Bhuvaneshwar Parsad S/O Late Shiv Prasad Singh
R/O Village- Sohta, Ps. Chhatapur, Dist. Supaul

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Ms.Asha Kumari

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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 is a person with clean antecedent and the allegation is of recovery of 810 litres of liquor from a Scorpio vehicle.
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 the fact that he is the owner of the seized vehicle. It is next submitted that no prudent person would use



his own vehicle for committing a crime and thus, would create evidence against himself and hence, would get implicated. It is further submitted that petitioner was completely unaware that Pradeep Kumar Mukhiya would misuse the vehicle in the manner as alleged as he was also apprehended at the spot.

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. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-2nd, Araria in connection with Fulkaha P. S. Case No.52 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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