

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49528 of 2023

Arising Out of PS. Case No.-85 Year-2022 Thana- MOHAMMADPUR District- Gopalganj

Rajan Kumar Son Of Sunil Kumar Resident Of Village-Anirudh Belsar
(Bedoliya), Police Station-Belsar O.P, District-Vaishali

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur
For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-07-2023 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 219.6 litres of liquor from a Ford Car.

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 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 though petitioner was contemplating to purchase the vehicle from Rajesh Kumar, but then, the vehicle was not transferred in his name, though there was an agreement based on which, he came to be implicated.

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 Additional District & Sessions Judge-IInd-cum-Special Excise Court No.1, Gopalganj in connection with Mohammadpur P. S. Case No.85 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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