

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49625 of 2023

Arising Out of PS. Case No.-351 Year-2023 Thana- FATEHPUR District- Gaya

Pintu Yadav @ Pintu Kumar, Son Of Sadhu Yadav Resident Of Village-
Meyari, Ps- Fatehpur, Distt- Gaya

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha
For the Opposite Party/s : Mr.Abhay Kumar Roy

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 40 litres of liquor from an old husk house of the
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 and he came to be
implicated based on secret information, which is the easiest way
to implicate someone. It is also submitted that even the husk



house, which is a joint family property and thus, cannot be alleged with certainty that it was the petitioner, who had kept the liquor in the husk house or the liquor kept in the husk house was within his knowledge. It is also submitted that the husk house is in disuse and was accessible to public at large, as such, it appears that someone inimical to the petitioner kept the liquor in the husk house to implicate the family.

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 Exclusive Special Excise Court No.01, Gaya in connection with Fatehpur P. S. Case No.351 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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