

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50104 of 2023

Arising Out of PS. Case No.-253 Year-2023 Thana- GORAUL District- Vaishali

Sunil Kumar, Son Of Munna Singh Resident Of Village- Muzaffarpur, Ps-
Mushari, Dist- Vaishali. Permanent Address- Resident Of Village- Bangali
Colony, Gannipur, Ps- Kazi Mohammadpur, Dist- Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hemant Kumar

For the Opposite Party/s : Ms.Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-08-2023 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
Sections 272, 273 of the I.P.C. and Sections 30(a), 32(ii), 38(ii)
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 480 litres of liquor from a truck and
a Pulsar motorcycle.

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 being owner of the truck. 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 next submitted that petitioner is a businessman and no businessman would bring disrepute to his own business.

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 Excise Court No.1-cum- Additional District & Sessions Judge, Vaishali at Hajipur in connection with Goraul P. S. Case No.253 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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