

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50374 of 2023

Arising Out of PS. Case No.-1163 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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Vinayak Tiwary, Son Of Shivanand Tiwary Resident Of Vill.- Parvati Bhawan
Kalambagh Road Ajay Gas Agency Nayatoli Muzaffarpur, Ps. -KAJI
Mohammadpur, Dist. Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Priyesh Kumar

For the Opposite Party/s : Mr.Ahmad Ali

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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 30(a), 32(3) 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 366.125 litres of liquor from a
warehouse of TBC Cargo Private Limited.
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 Amit Kumar in



police custody, which does not have any evidentiary value. It is next submitted that petitioner is not the owner of the warehouse as well as TBC Cargo Private Limited.

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 Court No.II, Muzaffarpur in connection with ABP No.2348 of 2023 arising out of Muzaffarpur Excise P. S. Case No.1163 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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