

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50269 of 2023

Arising Out of PS. Case No.-2 Year-2022 Thana- PARANDABAR District- Nawada

Kailash Turiya @ Keailash Turiya S/O Bandho Turiya R/O Village- Talani,
P.S- Fatehpur, Distt.- Gaya.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Narsingh Tanti

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), 41 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 160 litres of liquor from two
motorcycles as detailed in the F.I.R.

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 as he is owner of one 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 Ranjeet Kumar 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 Excise Judge, 1st, Nawada in connection with Parnadabar P. S. Case No.02 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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