

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52035 of 2023

Arising Out of PS. Case No.-256 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Banka

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Chandan Kumar, Son Of Sitaram Singh Village- Jagatpura Ward No-7, Ps-
Matihani Dist- Begusarai

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anshu Dhar Sharma
For the Opposite Party/s : Ms.Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 16-08-2023 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 Section 30(a)
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 451.80 litres of liquor from a pick-up vehicle
parked near I.T.I. College.
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 seized pick-up 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 driver would misuse the vehicle in the manner as alleged as no prudent businessman would bring disrepute to his business by indulging in such activities, when admittedly, petitioner is a person with clean antecedent.

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 Additional District & Sessions Judge-V, Banka in connection with Excise Complaint Case No.256 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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