

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53492 of 2023

Arising Out of PS. Case No.-83 Year-2023 Thana- AAJAM NAGAR District- Katihar

Mahesh Lal Murmu, Son Of Chunka Murmu Resident Of Village - Makhna,
P.S. - Dandkhora, District - Katihar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-08-2023 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 40.64 litres of liquor from a
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 based on the fact that the seized motorcycle belongs
to him. 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 earlier had lost his driving licence for which he had approached the concerned police station also.

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.2, Katihar in connection with Ajamnagar P. S. Case No.83 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)

vikash/-

U		T	
---	--	---	--

