

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53360 of 2023**

Arising Out of PS. Case No.-24 Year-2023 Thana- BALIGAON District- Vaishali

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Pankaj Das S/O Bhola Das R/O Village- Husainpur, Ps. Baligaon, Dist. Vaishali

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Ms.Asha Devi

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      17-08-2023                      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 14 of the I.P.C. and Sections 30(a), 41(1) 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 1242.36 litres of liquor from the pick-up van.

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 Md. Jubair and



Choudhary Suraj Kumar in police custody, which does not have any evidentiary value, when admittedly petitioner is a person with clean antecedent and is not the owner of the pick-up van.

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 Baligaon P. S. Case No.24 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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