

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53108 of 2023

Arising Out of PS. Case No.-314 Year-2023 Thana- MAHUA District- Vaishali

Vimal Singh, Son Of Late Harinath Singh Resident Of Village- Kutubpur,
Lagarao, Ps- Mahua, Distt- Vaishali

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

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
Sections 272, 273 of the I.P.C. and Section 30(a) of the Excise
Act.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case and the allegation is of
recovery of 32.400 litres of liquor from a Bathan situated at
village Kutubpur.

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 at the instance of villagers, but then, the F.I.R. does



not disclose the name of the villager, who disclosed the name of the petitioner, which cast an aspersion on the case of the prosecution. It is next submitted that no doubt, the Bathan belongs to the petitioner, but then, it is a joint family property and is an open place and no prudent person would use his own premises for committing an illegality and thus, would create evidence against himself and hence, would get implicated.

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. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned I/c Exclusive Special Judge, Excise (Second), Hajipur, Vaishali in connection with Mahua P. S. Case No.314 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	
---	--	---	--

