

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7756 of 2024

Arising Out of PS. Case No.-156 Year-2023 Thana- AIRPORT District- Patna

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Bittu Kumar, son of Lallu Ram R/O-Jaitiya Sahadat Nagar, P.S- Dhanruwa
Distt.-Patna

... .. 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 : Mr.Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-02-2024 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 14 litres of liquor from an auto.

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 he is owner of the auto. It is
next submitted that no prudent person would use his own
vehicle for committing an occurrence and thus, would create



evidence against himself and hence, would get implicated. It is further submitted that petitioner was completely unaware that the driver of the auto would misuse the vehicle in the manner as alleged, he also fled from the place of occurrence.

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. 500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Court No.1, Patna in connection with Hawaii Adda P. S. Case No.156 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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