

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10518 of 2024

Arising Out of PS. Case No.-793 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

Bittu Rai @ Ashutosh Rai, Son Of Sarveshvar Nath Rai Resident Of Village -
Shukhdehra, P.S. - Bhawarkol, District - Kaimur At Bhabua

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Singh

For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 29-02-2024 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 414 of the I.P.C. and Sections 30(a) and 32 of the Excise Act.
3. The learned counsel for the petitioner submits that the petitioner has antecedent of three cases and the allegation is of recovery of 30.6 litres of liquor from a car.
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 is not the owner of the seized vehicle and he came to be implicated based on confessional statement of Pankaj Kumar in police custody,



which does not have any evidentiary value. It is also submitted that it appears that the police falsely implicated the petitioner through Pankaj Kumar because of his 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. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise No.1-cum-A.D.J.-IVth, Kaimur at Bhabua in connection with Mohania P. S. Case No.793 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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