

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5842 of 2024

Arising Out of PS. Case No.-203 Year-2023 Thana- SAHIYARA District- Sitamarhi

Jay Mangal Kumar, S/O Late Bigu Sah R/O Village- Madhubani, P.S-
Sahiyara, Distt.- Sitamarhi.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-02-2024 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 354 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. It is also submitted
that petitioner is neither the owner, nor the driver of the auto and
he came to be implicated at the instance Chaukidar and co-
villagers. It is next submitted that the name of co-villager is not



disclosed in the F.I.R., who disclosed the name of the petitioner, which cast an aspersion on the case case of the prosecution. It is also submitted that it appears that the Chaukidar, with a view to save the real culprit, falsely implicated the petitioner, when admittedly petitioner is a person with clean 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. 500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-1, Sitamarh/ concerned Court in connection with Sahiyara P. S. Case No.203 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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