

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7817 of 2024

Arising Out of PS. Case No.-688 Year-2019 Thana- MAHUA District- Vaishali

Shiv Kumar Singh, son of Lakhan Singh Resident of Village- Harpurganga
Ram Ps- Mahua Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh

For the Opposite Party/s : Mr.Arun Kumar

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
Sections 30(a), 32(ii), 34(ii), 38(ii) and 41(i) 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 43.920 litres of liquor from a
Scorpio vehicle and from an Alto 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
any of the seized vehicle, rather he came to be implicated based
on the fact that his Aadhar card was found from the Scorpio



vehicle. It is next submitted that merely because Aadhar card was found in Scorpio vehicle that in itself is not a ground for implicating the petitioner, when petitioner is not the owner of the Scorpio vehicle.

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 Prohibition and Excise Court-II-cum- Additional District & Sessions Judge, Vaishali at Hajipur in connection with Mahua P. S. Case No.688 of 2019, 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	
---	--	---	--

