

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7831 of 2024

Arising Out of PS. Case No.-495 Year-2022 Thana- KUDHNI District- Muzaffarpur

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1. Manoj Kumar son of Diplal Rai village- Parmanandpur Po Ps- Sadar Ladaura Pakri Dist- Muzaffarpur
 2. Abhay Kumar son of Lalu Ray village- Parmanandpur Po Ps- Sadar Ladaura Pakri Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pallavi Lala
For the Opposite Party/s : Ms.Meena Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-02-2024 1. Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners seek bail in anticipation of their
arrest in a case registered for the offences punishable under
Sections 272, 273, 414 and 34 of the I.P.C. and Section
30(a) of the Excise Act.

3. The learned counsel for the petitioners submits
that the petitioners are persons with clean antecedent and
the allegation is of recovery of 2.5 litre of liquor from a
motorcycle, 120.96 litres of liquor from a Mahindra Verito
and 29.28 litres of liquor from a Mahindra Scorpio.



4. The learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession. It is further submitted that petitioners are neither the owner nor the driver of any of the seized vehicle and they came to be implicated based on confessional statement of Achhelal Sahni in police custody, which does not have any evidentiary value. It is further submitted that it appears that police deliberately implicated the petitioners through Achhelal Sahni in order to save the real culprit, when admittedly petitioners are persons with clean antecedent.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 500/- (Rupees Five Hundred) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court, Muzaffarpur in



connection with Kudhani (Turki) P. S. Case No.495 of 2022,
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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