

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13911 of 2024

Arising Out of PS. Case No.-653 Year-2023 Thana- MOTIHARI TOWN District- East
Champaran

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Vivek Agrawal @ Vivek Kumar Agrawal, Son of Janardhan Prasad Agrawal
Resident of B.B. Ghosh Lane, Motijheel, P.S.- Town (Muzaffarpur), Dist.-
Muzaffarpur, proprietor of Khantu Shyam Roadways, Godown Office situated
at Mohala Sikandarpur, P.S.- Town, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Verma

For the Opposite Party/s : Mr.Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 07-03-2024 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), 30(c), 30(f), 33 and 34(b) 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 1000 litres of spirit from a Bolero
vehicle.
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 Guddu Kumar in police custody, which does not have any evidentiary value, 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 Special Judge, Excise Court No.1, East Champaran, Motihari in connection with Town (Motihari) P. S. Case No.653 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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