

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18319 of 2024

Arising Out of PS. Case No.-2067 Year-2023 Thana- Excise P.S. District- Muzaffarpur

Santosh Kumar Son of Sagar Singh Resident of Village- Karneji, P.S.- Belsar
O.P., District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur, Advocate
For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-03-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections
30(a), 32(3) of the Bihar Prohibition and Excise Act.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 103.68 liters of liquor from a bullet motorcycle and
from the premises of Saurav Kumar.

It is next submitted that petitioner was not arrested
from the spot as such nothing was recovered from his conscious
possession. It is also submitted that even alleged recovery is
from a place which does not belong to the petitioner and
petitioner is not the owner of the seized motorcycle nor he has
any connection with Saurav, but then he came to be implicated



based on confessional statement of Saurav in police custody which does not have any evidentiary value, when petitioner admittedly is a person with clean antecedent.

The learned APP for the State opposes the anticipatory bail application.

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 Judge, Excise Court No.II, Muzaffarpur in connection with Excise P.S. Case No.2067 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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