

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14918 of 2024

Arising Out of PS. Case No.-364 Year-2023 Thana- KARJA District- Muzaffarpur

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Akshay Kumar Sahni @ Achchelal Kumar, Son of Shatrudhan Sahni Resident
of Village- Jawasra, P.S.- Karja, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ratneshwar Prasad

For the Opposite Party/s : Mr.Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-03-2024 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
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 07 litres of liquor from a place
where grains are kept.

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 even alleged
recovery is from a place which is outside the house of the
petitioner and no prudent person would use his own premises



for committing a crime and thus, would create evidence against himself and hence, would get implicated. It is next submitted that the place from where the alleged recovery is made, is also accessible to villagers at large and as such, someone inimical to the petitioner planted a meagre amount of liquor to get him implicated, 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 Judge, Excise Court No.II, Muzaffarpur in connection with Karja P. S. Case No.364 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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