

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19601 of 2024

Arising Out of PS. Case No.-373 Year-2023 Thana- RUNISAIDPUR District- Sitamarhi

Mangal Kumar @ Ashish Kumar @ Mangal Son of Raj Kishore Mahto
Resident of Village- Prem Nagar, P.S.- Runnisaidpur, Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raja Ram Mishra

For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 22-03-2024 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), 32(i)(ii), 36 and 41(i)(ii) 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 1921.65 litres of liquor from a truck.
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 neither the owner nor the driver of the truck and he came to be implicated based on confessional statement of Hanuman Ram in police custody, which does not have any evidentiary value. It is next



submitted that it appears that the police in order to save the real culprit falsely implicated the petitioner through Hanuman Ram, 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-1, Sitamarhi in connection with Runnisaidpur P. S. Case No.373 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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