

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19201 of 2024

Arising Out of PS. Case No.-389 Year-2023 Thana- MADANPUR District- Aurangabad

Shyam Kumar @ Shayam Singh, S/O- Suryadeo Singh R/O- Dehuli, P.S.-
Madan, Dist.- Aurangabad (BIHAR)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anirudh Kumar Verma

For the Opposite Party/s : Mr.Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 21-03-2024 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), 34 and 36 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 350 litres of liquor of spirit from an Indica car.
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 he came to be implicated based on the fact that he is owner of the seized vehicle. It is next submitted that no prudent person would use



his own vehicle for committing a crime and thus, would create evidence against himself and hence, would get implicated. It is further submitted that petitioner was completely unaware that his driver would misuse the vehicle in the manner as alleged, 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, Aurangabad in connection with Madanpur P. S. Case No.389 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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