

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19107 of 2024

Arising Out of PS. Case No.-5 Year-2024 Thana- RISIYAP District- Aurangabad

Navin Singh, son of Surendra Singh Resident of Village- Punabar, P.S.-
Risiup, district- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Nagendra Prasad

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
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 5.40 litres of liquor from a
motorcycle.
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 motorcycle and he came to be implicated at the instance of
Chaukidar with whom he is on an inimical term. It is also



submitted that in majority of the cases, innocent persons are being implicated by the police either at the instance of Chaukidar or local people. It is thus submitted that if the Chaukidar was aware that the petitioners had concealed the liquor, why he did not inform the police prior to institution of the case, which cast an aspersion on the case of the prosecution.

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.II, Aurangabad in connection with Risiup P. S. Case No.5 of 2024, 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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