

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17137 of 2024

Arising Out of PS. Case No.-144 Year-2023 Thana- MUSRIGHRARI District- Samastipur

Ravi Kumar, S/o Dilip Kumar Gupta R/o Gangapur, P.s. - Musrigharari,
Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Kumar Pandey

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-03-2024 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 and 36 of the Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of two cases and the allegation is
of recovery of 3519.360 litres of liquor from a truck, Bolero
vehicle and a Bolero pick-up.

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,
nor driver of any of the seized vehicle and he came to be
implicated at the instance of Chaukidar with whom he is on an



inimical term. It is further submitted that it appears that the Chaudkidar in order to save the real culprit falsely implicated the petitioner taking advantage of his antecedent. It is also submitted that in ninety per cent of the cases, the accused are being implicated at the instance of Chaukidar.

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. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise 1st, Samastipur in connection with Musrigharari P. S. Case No.144 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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