

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17202 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- MADHAURAH District- Saran

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Arun Rai, Son of Bantilal Rai Resident of Village- Asoiya, P.S.- Marhowrah,
District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh

For the Opposite Party/s : Mr.Akbar Ali

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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), 36 and 41(i) of the Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case and the allegation is of
recovery of 560 litres of spirit from an auto.

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 auto and he came to be implicated at
the instance of local people, but then, the name of the person,
who disclosed the name of the petitioner is not disclosed in the



F.I.R., 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. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 2nd Exclusive Special Excise Judge, Saran at Chapra in connection with Marhowrah P. S. Case No.15 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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