

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19462 of 2024

Arising Out of PS. Case No.-696 Year-2023 Thana- GARKHA District- Saran

Sikandar Chaudhary, S/O- Bandhu Chaudhary R/O- Village- Sargadi, P.S.-
Garkha, Dist.- Saran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Dr. Kumar Uday Pratap

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 total recovery of 50 litres of liquor from the
house of this petitioner.

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. It is



further submitted that after Amendment in the Excise Act, 2018, the concept of deemed possession and presumed offender has been done away with. It is further submitted that it has been specifically pleaded and asserted at Para-8 of anticipatory bail application that the house in question does not belong to the petitioner. It is next submitted that it appears that the police in order to save the real culprit falsely implicated the petitioner. It is next submitted that petitioner is not the owner of any of the seized vehicles.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on their furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) each with two sureties of the like amount each to the satisfaction of the learned 1st Special Judge Excise, Saran at Chapra in connection with Garkha P. S. Case No.696 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)

vikash/-

U			
---	--	--	--

