

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20034 of 2024

Arising Out of PS. Case No.-646 Year-2023 Thana- SAKRA District- Muzaffarpur

1. Sujit Kumar S/o Suresh Sahni R/o Vill - Sakra Mansurpur, P.S. - Sakra, Dist. - Muzaffarpur
2. Tuntun Kumar S/o Late Sheetal Sahni R/o Vill - Sakra Mansurpur, P.S. - Sakra, Dist. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Bipin Chandra

For the Opposite Party/s : Mr.Kanhiya Kishor

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-03-2024 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 30(a), 32(i)(ii)(iii), 36 and 41(i) of the Excise Act, 2022.

3. The learned counsel for the petitioners submits that the petitioner no.1 has antecedent one case and petitioner no.2 is a person with clean antecedent and the allegation is of recovery of 587.52 litres of liquor from a pick-up van.

4. The learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was



recovered from their conscious possession and are not the owners of the seized vehicle and they came to be implicated based on confessional statement of co-accused in police, which does not have any evidentiary value.

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.5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Court No.1, Muzaffarpur in connection with Sakra P. S. Case No.646 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		T	
---	--	---	--

