

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18548 of 2024

Arising Out of PS. Case No.-17 Year-2024 Thana- BASANTPUR District- Siwan

1. Vijay Singh, S/O Parma Yadav R/O Village - Kanhauli, P.S. - Basantpur, District - Siwan
2. Mohan Rai @ Mohan Yadav, S/O Virendra Yadav R/O Vill - Bansohi, P.S. - Basantpur, Distt.- Siwan
3. Rajan Kumar Yadav @ Rajan Yadav, S/O Krishna Ray @ Krishna Yadav R/O Vill - Karahi Khurd, P.S. - Basantpur, Distt. - Siwan

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Ms.Meena Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-03-2024 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 Section 30(a) of the Excise Act.

3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the allegation is of recovery of 432.360 litres of liquor from a field.

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 even the alleged recovery is from a place, which does not belong to the petitioners and which is accessible to public at large and they came to be implicated at the instance of Chaukidar. In most 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 in the field, why he did not inform the police earlier and why the said fact was disclosed after the liquor is alleged to have been recovered, 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 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 Exclusive Special Judge Excise Court No.1, Siwan in connection with Basantpur P. S. Case No.17 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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