

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18514 of 2024

Arising Out of PS. Case No.-271 Year-2022 Thana- SINDHIYA District- Samastipur

Vakil Mukhiya @ Aokil Kumar Mukhiya @ Okil Mukhiya S/o Prem Mukhiya
R/o Vill - Purani Bhirha, P.S. - Rosera, Dist. - Samastipur Present Address Vill
- Bari, P.S. - Singhiya, Dist. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abdul Mannan Khan Mr. Hafiz Shahbaz Arif Mr. A. Abdul Quadir Jamal Faridi Mr. Shive Kumar
For the Opposite Party/s	:	Mr. Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 20-03-2024 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 recovery of 08 litres of liquor from a motorcycle.
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 of the seized motorcycle and he came to be implicated based on



confessional statement of apprehended accused in police custody, which does not have any evidentiary value, when admittedly petitioner is a person with clean antecedent.

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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-1st- cum- Exclusive Special Excise-1, Samastipur in connection with Singhiya P. S. Case No.271 of 2022, 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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