

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21047 of 2024

Arising Out of PS. Case No.-339 Year-2023 Thana- ATRI District- Gaya

Mahadeo S/o Dilchand @ Meghan R/o Vill - Deumri Tapsa, P.S. - Fatehpur,
Dist. - Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mr.Kanhiya Kishor

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 28-03-2024 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 400 litres of liquor from a Tata Sumo vehicle.
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 he came to be implicated based on the fact that he is owner of the seized vehicle. It is next submitted that no prudent person



would use his own vehicle for committing a crime and thus, would create evidence against himself and hence, would get implicated. It is further submitted that petitioner was completely unaware that his driver would misuse the vehicle in the manner as alleged.

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 Exclusive Special Excise Court No.01, Gaya in connection with Atri P. S. Case No.339 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)

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