

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22903 of 2024

Arising Out of PS. Case No.-1004 Year-2023 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Mukesh Sahni @ Mukesh Kumar, Son Of Late Ganesh Sahni Resident Of
Mohalla - Charch Road, Sodagodam, P.S. - Town, District - Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raju Kumar

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 26-04-2024 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 648 litres of liquor from an auto

and a pick-up 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 and is



neither the owner, nor the driver of the seized vehicle and he came to be implicated based on confessional statement of apprehended accused in police custody, 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 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 Court Excise-1, Muzaffarpur in connection with Town P. S. Case No.1004 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial Court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of even one case,



in that event, the present anticipatory bail application shall
not be given effect to.

(Satyavrat Verma, J)

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