

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31760 of 2024

Arising Out of PS. Case No.-530 Year-2023 Thana- Excise P.S. District- Saran

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1. Ravi Singh S/o- Paras Singh Village- Dolari Chand diyara PS- Bairiya Dist- Balia UP
 2. Prabhu Nath Yadav son of Rajdhan Yadav Village- Yadav Nagar Chand Diyara Ps- Bariya Dist- Balia U.P

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Narendra Kumar

For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-04-2024 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(3) and 45 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 26.640 litres of liquor from two motorcycles.

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 they came to be



implicated based on the fact they are owner of the seized vehicle. It is next submitted that no prudent person would use their own vehicle for committing a crime and thus, would create evidence against himself and hence, would get implicated. It is next submitted that they came to be implicated at the instance of Chaukidar with whom they are on an inimical term.

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 3rd Exclusive Special Excise Judge, Saran at Chapra in connection with Saran Excise Sadar P. S. Case No.530 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 petitioners shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioners have 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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