

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34236 of 2024

Arising Out of PS. Case No.-22 Year-2024 Thana- Excise P.S. District- Vaishali

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1. Avinash Kumar S/O- Ganaur Rai R/O- village- shekhpur, ward no.01, P.S- Rajapakar, DISTRICT- VAISHALI
 2. ABHISHEK KUMAR S/O- PRAMOD SINGH R/O- village- shekhpur, ward no.01, P.S- Rajapakar, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 17-05-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners seek bail in a case registered for the offences punishable under Sections 30(a), 32(3), 41(1) and 41(2) of the Bihar Excise Act.
3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and allegation is of recovery of 300 litres of liquor from a Bolero vehicle.
4. Learned counsel for the petitioners submits that the petitioners were not arrested from the spot as such nothing was recovered from their conscious possession. It is further submitted that petitioners are not the owner of the seized vehicle



and are in custody since 1-2-2024. It is next submitted that petitioner No. 1 was intending to purchase the vehicle but then he had also made some payment to the owner but then the vehicle was not transferred in the name of the petitioner No. 1 as such it appears that owner of the vehicle misused the vehicle.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, be released on bail on furnishing bail bond of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Hajipur Excise P.S. Case No. 22 of 2024.

(Satyavrat Verma, J)

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