

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64806 of 2024

Arising Out of PS. Case No.-699 Year-2024 Thana- AHİYAPUR District- Muzaffarpur

Nandu Rai @ Nandu Kumar Rai @ Nandu Ray, S/O Raghunath Ray R/O
Village- Patiyasa, P.S- Ahiyapur (Garha O.P.), Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Nitu Kumari

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 20-09-2024 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner seeks bail in a case registered for the offences punishable under Sections 30(a) and 41 of the Excise Act.
3. The learned counsel for the petitioner submits that the petitioner has antecedent of nineteen cases and allegation is of recovery of 2750 litres of liquor from a truck.
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 truck and he came to be implicated at the instance of Chaukidar, but then, it is submitted that police in majority of cases implicating innocent persons either at the behest of



Chaukidar, local person, secret informant and confessional statement in a mechanical manner without holding proper investigation. It is next submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically and at time to save the real culprits. It is also submitted that petitioner is in custody since 27.07.2024.

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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Court No.1, Muzaffarpur in connection with Ahiyapur (Garha O.P.) P. S. Case No.699 of 2024.

7. The application stands allowed.

(Satyavrat Verma, J)

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