

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69054 of 2023

Arising Out of PS. Case No.-452 Year-2023 Thana- HAJIPUR SADAR District- Vaishali

Sanjay Tiwari @ Sanjay Kumar Tiwari, S/O Late Kameshwar Tiwari R/O
Village- Chakchullah (BAKARPUR), P.S- Sadar, Distt.- Vaishali.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 19-02-2024 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
Sections 467, 468, 471 and 120(B) of the I.P.C. and Sections
30(a), 32(ii), 36 and 41(i) 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 4892.400 litres of liquor from a
DCM 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 he came to be
implicated based on confessional statement of Deepak Tiwari in



police custody, which does not have any evidentiary value. It is also submitted that petitioner is not the owner of the truck.

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.1-cum-A.D.J., Vaishali at Hajipur in connection with Hajipur Sadar P. S. Case No.452 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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