

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75427 of 2023

Arising Out of PS. Case No.-223 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Rohtas

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Aniket Kumar Son of Rajesh Kumar Resident of - Adarsh Colony,
Nauranganj (Banlia), P.s. - Sasaram, District- Rotash.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chakravarti Singh

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-02-2024 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
petitioner has antecedent of two cases and the allegation is of
recovery of 174.885 litres of liquor out of which 72 litres of
liquor is alleged to have been recovered from a motorcycle. It is
next submitted that petitioner was not arrested from the spot, as
such, nothing was recovered from his conscious possession and
he came to be implicated in a mechanical manner being owner
of the motorcycle. It is also submitted that no prudent person



would use his own vehicle for committing an occurrence thus would create evidence against himself. It is next submitted that his friend Ankush had taken the motorcycle for some work who was also arrested on the spot and as such, petitioner was completely unaware that Ankush would misuse the vehicle in the manner as alleged.

4. Learned A.P.P. opposes the bail application.

5. 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. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Ist, Rohtas in connection with Excise P.S. Case No. 223 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

(Satyavrat Verma, J)

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