

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74579 of 2023

Arising Out of PS. Case No.-112 Year-2023 Thana- THARTHARI District- Nalanda

Shiv Shankar Kumar @ Kara Yadav S/O Bhukhan Yadav Village- Koklak
Chak, Ps- Noorsarai, Dist- Nalanda

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rana Baljit Singh

For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 20-02-2024 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
Section 30(a) 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 60 litres of liquor from a
motorcycle.
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. It is also submitted
that petitioner came to be implicated in a mechanical manner,



being owner of the motorcycle. It is next submitted that petitioner was completely unaware that his friend, who had taken the motorcycle for some work, would misuse the vehicle in the manner as alleged, as no prudent person would use his own vehicle for committing an occurrence and thus, would create evidence against himself.

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. 5,00/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned 4th Additional Sessions Judge, Exclusive Special Excise Court-IIInd, Nalanda in connection with Tharthari P. S. Case No.112 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)

vikash/-

U		T	
---	--	---	--

