

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74564 of 2024

Arising Out of PS. Case No.-209 Year-2024 Thana- SAKRA District- Muzaffarpur

Raja Kumar @ Raja Kumar Singh S/o- Dilip Prasad Singh R/o-Village Post-
Sanghopatti Ps- Sakra Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Jha

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 18-10-2024 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 Section 30(a) of the Excise Act.
3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case and is in custody since
01.09.2024 and allegation is of recovery of 124.890 litres of
liquor from a poultry farm of the petitioner.
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 after Amendment
in the Excise Act, 2018, the concept of deemed possession and
presumed offender has been done away with and even the
poultry farm is the family business and thus, it cannot be alleged



with certainty that it was the petitioner, who had kept the liquor in the poultry farm or the liquor kept in the poultry farm was within his knowledge.

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

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, the petitioner, above-named, 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 learned Special Judge Excise-1, Muzaffarpur in connection with Sakra P. S. Case No.209 of 2024.

7. The application stands allowed.

(Satyavrat Verma, J)

vikash/-

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

