

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71799 of 2023

Arising Out of PS. Case No.-150 Year-2023 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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Rambul @ Saurav Suman @ Saurabh Suman, Son Of Ramanuj Kumar @
Ramanuj Singh R/O Village - Manjaur @ Manjour, P.S.- Warisaliganj,
District- Nawada

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Roop Kishan

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

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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 30(a), 32(2) 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 165.750 litres of liquor from a
Bolero vehicle.
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 co-accused in



police custody, which does not have any evidentiary value. It is also submitted that petitioner is the owner of the seized vehicle from which the liquor is alleged to have been recovered and no prudent person would use his own vehicle for committing an occurrence and thus, would create evidence against himself. It is also submitted that the co-accused, who was arrested, misused the vehicle in the manner as alleged.

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 Special Excise Judge, Sheikhpura in connection with Shekhopure Sarai P. S. Case No.150 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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