

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71834 of 2023

Arising Out of PS. Case No.-274 Year-2023 Thana- ATRI District- Gaya

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Dhananjay Kumar, S/O Late Kuleshwar Yadav R/O Village- Kharahari, P.S-
Mufassil, Distt.- Gaya.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh
For the Opposite Party/s : Mr.Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 19-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

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.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 30 litres of liquor from a motorcycle.

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, being owner of the motorcycle, came to be
implicated in a mechanical manner without proper investigation.
It is next submitted that Milan Kumar and Ashish Yadav were



arrested from the spot, who had taken the motorcycle of the petitioner for some work, as such, petitioner was completely unaware that his friends would misuse the vehicle in the manner as alleged.

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

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, Gaya in connection with Atri P. S. Case No.274 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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