

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74919 of 2024

Arising Out of PS. Case No.-26 Year-2024 Thana- BACHHWARA District- Begusarai

Lav Kush Kumar @ Lovekhush Kumar S/O- Shyam Sundar Rai Village-
Rupaswaj Ps- Bachhwara Dist- Begusarai

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Chandra Bhushan Prasad- A.P.P.

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 Sections 30(a), 32(2) and 41 of the Excise Act.
3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is in custody since 18.08.2024 and allegation is of recovery of 6307.2 litres of liquor from a truck.
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 is not the owner of the seized truck. It is further submitted that he came to be implicated at the instance of Chaukidar, but then, it absolutely



does not stand to reason that if Chaukidar was aware of the involvement of the petitioner in the occurrence, then why he did not inform the police prior to institution of the present F.I.R., which cast an aspersion on the case of the prosecution.

5. Learned A.P.P. Sri Chandra Bhushan Prasad 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.1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-1st, Begusarai in connection with Bachhwara P. S. Case No.26 of 2024.

7. The application stands allowed.

(Satyavrat Verma, J)

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