

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74305 of 2023

Arising Out of PS. Case No.-176 Year-2022 Thana- TAJPUR District- Samastipur

=====

Ram Sagar Pandit, Son Of Rajgir Pandit Village- Fatehpur Bala Ps-
Musarigharari Dist- Samastipur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Dr. Om Prakash Om

For the Opposite Party/s : Ms. Gulnar Begum

=====

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 10.365 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 and he came to be

implicated based on the fact that he is owner of the



motorcycle. It is further 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 offence 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. 500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise-02, Samastipur in connection with Tajpur P. S. Case No.176 of 2022, 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	
---	--	---	--

