

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78441 of 2023

Arising Out of PS. Case No.-105 Year-2023 Thana- HATHAURI District- Samastipur

Sanjeev Kumar Kunwar S/O Ashok Kumar Kunwar Resident Of Village-
Ganga Tol, Darshur, P.S.-Warisnagar, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brajesh Kumar Singh

For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-02-2024 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
petitioner is a person with clean antecedent and the allegation is
of recovery of 180 m.l. of liquor from an Alto Car. It is next
submitted that petitioner was not arrested from the spot, as such,
nothing was recovered from his conscious possession and he
came to be implicated since he is owner of the car. It is further
submitted that petitioner was completely unaware that Chandan
Kumar his driver along with his friends would misuse the
vehicle in the manner as alleged and they were also



apprehended from the spot. It is next submitted that no prudent person would use his own vehicle for committing an occurrence and thus would create evidence against himself, when petitioner admittedly is a person with clean antecedent.

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

5. 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. 5,00/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Excise Court- I, Samastipur in connection with Hathauri P.S. Case No. 105 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

(Satyavrat Verma, J)

vinita/-

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

