

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77565 of 2023

Arising Out of PS. Case No.-220 Year-2021 Thana- BAHERA District- Darbhanga

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Ajit Kumar @ Ajeet Kumar S/O Anand Lal Mahto R/O Ward No.- 09, Madhu
Tola, Police Station- Khanpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Yadav

For the Opposite Party/s : Mr.Nand Kumar

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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 has antecedent of two cases and the allegation is of
recovery of 4336.20 litres of liquor from a truck as detailed in
the FIR. It is next submitted that petitioner was not arrested
from the spot, as such, nothing was recovered from his
conscious possession. Petitioner being owner of the seized truck
came to be implicated in a mechanical manner. It is further
submitted that no prudent businessman would use his own
vehicle for committing an occurrence and thus would create
evidence against himself. It is next submitted that petitioner will



not abscond rather will cooperate in the investigation. It is further submitted that one Laxman had booked the truck for carrying certain goods who was also apprehended from his house where the truck was parked and the driver fled. It is thus submitted that petitioner was completely unaware that the driver of the vehicle in connivance with Laxman would misuse the vehicle in the manner as alleged.

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. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge- II, (Excise Act), Darbhanga in connection with Bahera P.S. Case No. 220 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

(Satyavrat Verma, J)

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