

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75149 of 2023

Arising Out of PS. Case No.-311 Year-2023 Thana- GAIGHAT District- Muzaffarpur

Nunu Rai Son Of Sri Mahavir Rai Resident Of Village- Jajuar, P.S- Katra,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

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 Sections 272, 273, 420, 467, 468, 471, 34 of the Indian Penal Code and sections 30(a), 32, 36 and 41(i) of the Bihar Prohibition & Excise Act.

3. The learned counsel for the petitioner submits that petitioner has antecedent of five cases and the allegation is of recovery of total 3782.880 litres of liquor from three cars and a cement godown. It is next submitted that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession. It is also submitted that petitioner is not the owner of any of the seized vehicles nor the cement godown



belongs to him. He came to be implicated based on confessional statement of Vikas Kumar and Vijay Kumar in police custody which does not have any evidentiary value.

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. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise Court No. 1, Muzaffarpur in connection with Gaighat P.S. Case No. 311 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)

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