

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79681 of 2024

Arising Out of PS. Case No.-42 Year-2023 Thana- MUSRIGHRARI District- Samastipur

Umesh Rai @ Umesh Kumar Sharma S/o Late Satyanarayan Rai R/o Village-
Markand, PS- Sakra, Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suneil Kumar Thakur

For the Opposite Party/s : Mr. Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 06-12-2024 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The petitioner seeks bail in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 405 liters of liquor from four motorcycles and from cowshed of Guddu Mishra.
4. Learned counsel for the petitioner submits that petitioner was not apprehended 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 one of the seized motorcycles. It is next submitted that no prudent person



would use his own vehicle for committing an occurrence and thus would create evidence against himself and hence would get implicated, it is further submitted that petitioner was completely unaware that his friend would misuse the vehicle in the manner as alleged when petitioner admittedly is a person with clean antecedent. It is next submitted that petitioner is in custody since 25.09.2024.

5. Learned A.P.P. for the State opposes the prayer for regular bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, be released on bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Musarigharari P.S. Case No. 42 of 2023.

(Satyavrat Verma, J)

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