

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78479 of 2023

Arising Out of PS. Case No.-550 Year-2023 Thana- BARHARA District- Bhojpur

Rahul Kumar S/O Rajesh Chaudhary R/O Village- Matukpur,Ps. Barhara,
Dist. Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Ms.Sharda Kumari

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 200 litres of liquor from two motorcycles, 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 and petitioner is not the owner of the any
of the seized vehicles. He came to be implicated at the instance
of *Chowkidar* with whom he is on an inimical term. It is also
submitted that if the *Chowkidar* was aware that the petitioner



had concealed liquor in the motorcycles then why he did not inform the police earlier which cast an aspersion on the case of prosecution.

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 Special Judge Excise Ist, Bhojpur at Ara in connection with Barhara P.S. Case No. 550 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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