

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79949 of 2024

Arising Out of PS. Case No.-303 Year-2023 Thana- DORIGANJ District- Saran

Desai Sah @ Desai Kumar S/o- Rajendra Sah @ Chilhan Sah Village-
Khawagpur, P.s- Doriganj, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Ms. Asha Kumari

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 has antecedent of one case and allegation is of
recovery of 350 litres of liquor from a cremation ground.
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 even the
alleged recovery is from a place which does not belong to the
petitioner and is accessible to public at large and he came to be
implicated based on confessional statement of Krishna



Chaudhary in police custody which does not have any evidentiary value. It is next submitted that petitioner is in custody since 15.10.2024.

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 Doriganj P.S. Case No. 303 of 2023.

(Satyavrat Verma, J)

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