

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81685 of 2024

Arising Out of PS. Case No.-87 Year-2024 Thana- Excise P.S. District- Madhepura

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Abhishek Kumar S/o Bindeshwari Sah Resident of Gaushala Chowk, ward
no- 5, PS- Murliganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Md Fazle Karim

For the Opposite Party/s : Mr. Nand Kumar

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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 five cases and allegation is of
recovery of 1717.92 litres of liquor from PWD campus.
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 campus which belongs to the
government and petitioner came to be implicated based on
suspicion because of his antecedents. It is further submitted that
it appears that police in order to save the real culprits falsely
implicated the petitioner taking advantage of his antecedents. It



is next submitted that petitioner is in custody since 27.07.2024 and charges have been framed on 28.10.2024. It is next submitted that petitioner will not abscond rather will co-operate in the trial to prove his innocence.

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 Madhepura Excise P.S. Case No. 87 of 2024.

7. However, it is made clear that if the learned Trial Court comes to a conclusion that petitioner after his release is trying to delay the trial in any manner in that event, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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