

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5643 of 2024

Arising Out of PS. Case No.-78 Year-2023 Thana- Excise P.S. District- Vaishali

Sanjeev Kumar S/O Ram Naresh Ray Resident of vill.- Bhadwas Ward no 1,
P.S.- Mahua Distt.-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan No.Ii

For the Opposite Party/s : Mr.Binod Kumar No.3- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-02-2024 1. 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 30(a), 41(1) and 41(2) of the Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
allegation is of total recovery of 102 litres of liquor, 99 litres of
liquor from a bush behind the house of petitioner and 03 litres
from a motorcycle.

4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is next submitted
that liquor was recovered from a place which does not belong to



the petitioner and is accessible to villagers at large. It is next submitted that petitioner is not the owner of the motorcycle and came to be implicated based on secret which is the easiest way to implicate someone.

5. Learned A.P.P. opposes the bail application.

6. 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. 500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.II-cum-Addl. District & Sessions Judge, Vaishali at Hajipur in connection with Mahua Excise P. S. Case No.78 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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