

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4109 of 2022

Arising Out of PS. Case No.-260 Year-2019 Thana- MITHANPURA District- Muzaffarpur

RAMBABU RAI SON OF KRISHNA DEV RAY RESIDENT OF
VILLAGE- BAGARI, P.S.- KANTI (PANAPUR O.P.), DISTRICT-
MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate

For the Opposite Party/s : Mr.Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 414 and 34 of the Indian Penal Code read with Sections 30(a), 32(II), 38(II) and 41(I) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 4595.040 litres of liquor from a truck parked in the Ananya Flower Mill.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, he was not apprehended from the spot as such nothing was recovered



from his conscious possession. It is next submitted that the truck does not belong to the petitioner but he came to be implicated based on the confessional statement of co-accused Kundan Kumar who was apprehended at the spot which has no evidentiary value.

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

Considering the submissions made by the learned counsel for the petitioner and the fact that the petitioner is a person with clean antecedent and his named transpired in the confessional statement of co-accused, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten 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 Mithanpura P.S. Case No. 260 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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