

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7018 of 2022**

Arising Out of PS. Case No.-103 Year-2021 Thana- DORIGANJ District- Saran

SANJAY RAI @ SANJAY KUMAR SON OF LATE AKALU RAI
RESIDENT OF VILLAGE- KAJIPUR, P.S.- DORIGANJ, DISTRICT-
SARAN AT CHAPRA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh, Advocate

For the Opposite Party/s : Mr. Amit Kumar Rakesh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 08-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through the virtual Court proceedings.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30 and 30(a) of the Bihar Prohibition and Excise Act, 2016.

Allegation is of recovery of 16.53 litres of liquor from the bank of river Ganges at Kansh Diyara.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and he was not arrested from the spot, as such, nothing was recovered from his conscious possession. The alleged recovery is a public place and name of the petitioner was transpired in the confessional statement of co-accused Amit Singh 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 petitioner is a person with clean antecedent, 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.1,000/- (Rupees One 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. 103 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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