

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7841 of 2022

Arising Out of PS. Case No.-50 Year-2021 Thana- AKILPUR District- Saran

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Bunty Kumar @ Rahul Kumar, S/O Baliram Rai @ Baliram Ray Resident Of
Manas Akilpur, Manas, Panapur, P.S.- Akilpur, District- Saran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary
For the Opposite Party/s : Mr. Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 30,
30(a) of the Excise Act.

The learned counsel for the petitioner submits that the
petitioner has antecedent of one case, but inadvertently at Para-3
of the anticipatory bail application, it has been recorded that
petitioner is a person with clean antecedent.

Allegation is of recovery of 55 litre of liquor from the
place of occurrence and Mukesh Kumar, who was apprehended,
who disclosed the name of this petitioner.

The learned counsel for the petitioner submits that
petitioner was not apprehended from the spot and his name



transpired in the confessional statement of apprehended accused Mukesh Kumar, which has no evidentiary value in the eyes of law. Nothing was recovered from his conscious possession.

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

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. 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 in connection with Akilpur P. S. Case No.50 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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