

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13822 of 2022**

Arising Out of PS. Case No.-45 Year-2021 Thana- MINAPUR District- Muzaffarpur

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Ramakant Rai, Son Of Biltu Rai Resident Of Maltoli (Gosaipur
Tengraha),P.S.- Minapur, District- Muzaffarpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur
For the Opposite Party/s : Mr. Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 29-09-2022 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 Section 272,
273 and 34 of the I.P.C. and Section 30(a) of the Excise Act,
2018.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 1513.77 litres of liquor from a pick-up van.
Further, 21.51 litres of liquor from a field situated near the
house of Tinku Bhagat.

The learned counsel for the petitioner submits that the
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is next submitted



that petitioner is neither the owner, nor the driver of the alleged pick-up van and even field from where the alleged recovery was made does not belong to the petitioner and he came to be implicated based on confessional statement of co-accused Dhiraj Kumar, which has no evidentiary value.

The learned Additional Public Prosecutor opposes the anticipatory 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 from today, 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 learned Court below where the case is pending in connection with Minapur P. S. Case No.45 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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