

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15458 of 2022

Arising Out of PS. Case No.-84 Year-2019 Thana- SALIMPUR District- Patna

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Pokhan Rai Son Of Late Ramu Rai Resident Of Village - Kala Diyara, P.S.-
Salimpur, District - Patna.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-07-2022 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(a), 32(1)(2), 38(1)(2), 41(1) and 47 of the Excise Act.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the allegation is
of recovery of 3476.250 litre of liquor from three vehicles as
detailed in the F.I.R.

The learned counsel for the petitioner submits that the
petitioner the petitioner is not named in the F.I.R., as such,
nothing was recovered from his conscious and his name
transpired in the confessional statement of co-accused Ganesh
Kumar @ Sonu, which has no evidentiary value. It is next



submitted that petitioner is neither the owner, nor the driver of the aforesaid vehicle.

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. 2,000/- (Rupees Two Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Special Case No.4202 of 2019 arising out of Salimpur P. S. Case No.84 of 2019, 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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