

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16868 of 2022**

Arising Out of PS. Case No.-136 Year-2019 Thana- KUNDWACHAINPUR District- East
Champaran

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SACHIN RAI @ SACHIN YADAV @ SACHIN RAJ YADAV S/o Ganesh
Rai @ Ganesh Kapar Resident of Village- Mahangua, P.S.- Kundwachainpur,
District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Arun Kumar, A.P.P.

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

2 29-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through the virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 272, 273
of the Indian Penal Code read with Sections 30(a) and 41(1) of
the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

Allegation is of recovery of 390 litres of liquor from
four different motorcycles.

Learned counsel for the petitioner submits that
petitioner was not apprehended 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 aforesaid motorcycles and is not named in the FIR and his name transpired in the confessional statement of co-accused Pappu Kumar which has no evidentiary value in the eye of law.

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.5,000/- (Rupees Five 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 Kundwachainpur P.S. Case No. 136 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Kundan/-

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