

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37039 of 2022**

Arising Out of PS. Case No.-664 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

TUNNU @ TUNNU SAHANI @ TUNNU KUMAR S/o Ramashish Sahani  
R/o Village-Pahetiya, P.S.-Hajipur Sadar, District-Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Manish Chandra Gandhi, Advocate

For the Opposite Party/s : Mr.Harendra Prasad, APP

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

2      23-08-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 30(a), 36 and 41(i) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of four cases and allegation is of recovery of 956.96 liters liquor from a Tata vehicle.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, further the petitioner is neither the owner nor the driver of the alleged vehicle and his name transpired in the confessional statement of Rahul Sharma in police custody which has no evidentiary value



in the eyes 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, 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. 25,000/- (Rupees Twenty 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 Hajipur Sadar P.S. Case No. 664 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Rishi/-

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