

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45447 of 2022

Arising Out of PS. Case No.-79 Year-2021 Thana- SIWAIPATTI District- Muzaffarpur

PAWAN KUMAR RAI @ PAWAN RAI SON OF RAM BAHADUR RAI
R/O VILLAGE- PAGAMBERPUR, P.S.- SIWAIPATTI, DISTRICT-
MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-08-2022 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 272, 273 and 420, 120(B) and 34 and Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of two cases and allegation is of recovery of 265.80 litre of liquor from a pickup vehicle and a tractor.

Learned counsel for the petitioner submits that the 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 alleged pick-up vehicle or the tractor and he came to be implicated based on confessional statement of Manoj Kumar Rai, which has no evidentiary value.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 2,000/- (Rupees Two Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Siwaipatti P.S. Case No. 79 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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