

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51223 of 2022**

Arising Out of PS. Case No.-64 Year-2022 Thana- MOHIUDDIN NAGAR District-
Samastipur

=====

SUBODH RAY SON OF NAGO RAY @ BHONU RAY Resident of village-
Mahamadipur, P.S.- Mohiuddin Nagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Md. Hussamuddin Azad, Advocate
For the Opposite Party/s : Mr.Murli Dhar, APP

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

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

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 360 litres liquor from a Maruti car.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and he came to be implicated based on the confessional statement of Karu Kumar



which has no evidentiary value and the car also does not belong to the petitioner as it has been submitted orally.

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. 1,000/- (Rupees One 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 Mohiuddin Nagar P.S. Case No. 64 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

In the event, if during the course of investigation it is established that the car belongs to the petitioner then the learned trial court shall forthwith cancel the bail bonds of the petitioner and all endeavours would be made to take the petitioner into custody.

(Satyavrat Verma, J)

Rishi/-

U		T	
---	--	---	--

