

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52473 of 2022

Arising Out of PS. Case No.-1119 Year-2019 Thana- AHIYAPUR District- Muzaffarpur

RAJIV KUMAR @ RAJEEV RAI SON OF LATE RAJENDRA RAI
RESIDENT OF VILLAGE- CHAKKI, P.S.- HATHAURI, DISTRICT-
MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-10-2022 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 and Sections 30(a), 36 and 38 of the
Bihar Prohibition and Excise Act.

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

Allegation is of recovery of 2116.800 litres of liquor
from a truck.

Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was



recovered from his conscious possession. Learned counsel further submits that petitioner is neither the owner nor the driver of the alleged truck and he came to be implicated based on confessional statement of Bhola 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, 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 Ahiyapur P.S. Case No. 1119 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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