

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62446 of 2022**

Arising Out of PS. Case No.-456 Year-2019 Thana- SAHEBGANJ District- Muzaffarpur

FULDEV RAI S/o Singeswer Rai R/o Vill- Bengara (Deo Sara Asli), P.S.-
Sahebganj, Distt- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Nitu Kumari, Advocate

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

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

2 25-11-2022 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, 273, 414 and 34 of the Indian Penal Code and Sections 30(a)(d)(g) and 41(1) of the Bihar Excise Act.

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 25 litres of liquor from a Splendar motorcycle kept in a polythene, further 400-500 litres of Mahua solution was destroyed at the spot.

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 he came to



be implicated based on confessional statement of Vishwanath Sahni, it is also submitted that petitioner is neither the owner nor the driver of the alleged motorcycle which belongs to Vishwanath Sahni.

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. 1,000/- (Rupees One Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sahebganj P.S. Case No. 456 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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