

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67392 of 2022

Arising Out of PS. Case No.-457 Year-2022 Thana- SONEPUR District- Saran

Dayanand Rai Son Of Rudal Roy R/O Vill- Dayalpur, P.S.- Rajapakar
(BARATI O.P.), Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-12-2022 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 30(a), 32, 38 and 41 of the Bihar Excise Act.

Learned counsel for the petitioner submits that petitioner has antecedent of one case and allegation is of recovery of 358.74 litres liquor from a Bolero pickup vehicle.

Learned counsel for the petitioner submits that 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 Mukesh Kumar in police custody which does not have any evidentiary value, further the petitioner is neither the owner nor the driver of



the alleged vehicle.

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. 10,000/- (Rupees Ten 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 Sonapur P.S. Case No. 457 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The learned trial court before accepting the bail bonds of the petitioner shall verify his criminal antecedents and if it is found that the petitioner has antecedent of more than one case, then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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