

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64996 of 2022

Arising Out of PS. Case No.-496 Year-2018 Thana- KOILWAR District- Bhojpur

MUNNA RAY S/O BHOLA RAY Resident of village- Barka Chanda, P.S.-
Koilarwar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Malti Kumari, Advocate
For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-12-2022 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 Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that petitioner has antecedent of one case and allegation is of recovery of 30 litres liquor from a motorcycle and 50 litres liquor from a place near village Jhalkunagar.

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 Sunil Rai in police custody which does not have any evidentiary value, it is also submitted that police got him implicated through Sunil



because of his antecedent.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that petitioner has not specified whether the motorcycle belongs to him or not.

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. 20,000/- (Rupees Twenty 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 Koilwar P.S. Case No. 496 of 2018 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 the ownership of the motorcycle and in the event, if it is found that the motorcycle is registered in the name of the petitioner, then the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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