

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67072 of 2022

Arising Out of PS. Case No.-473 Year-2022 Thana- GOVINDGANJ District- East
Champaran

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SHAIENDRA THAKUR S/O RAM SAGAR THAKUR Resident of village-
Chhapkahiya P.S.- Govindganj, District- East Champaran at Motihari.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, A.P.P.

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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 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 Section 414 of the Indian Penal
Code and Sections 30(a) and 41(1) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that petitioner
has antecedent of two cases.

Allegation is of recovery of 66.960 litres of liquor from a
motorcycle.

Learned counsel for the petitioner submits that petitioner
came to be implicated based on confessional statement of Ram Eqbal
Yadav in police custody which does not have any evidentiary value



in the eye of law. It is further submitted that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and the motorcycle even belong to Ram Eqbal Yadav and the petitioner came to be implicated because of his antecedent.

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.15,000/- (Rupees Fifteen 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 Govindganj P.S. Case No. 473 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 shall verify the criminal antecedent of the petitioner and, in the event, if it is found that petitioner has more than two antecedents then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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