

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71176 of 2022

Arising Out of PS. Case No.-86 Year-2022 Thana- RIGA District- Sitamarhi

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PAPPU KUMAR SAH S/O Shailendra Sah R/O Village- Ramnagra, P.S-
Riga, District- Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

For the Opposite Party/s : Ms. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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 the petitioner is a person with clean antecedent and allegation is of recovery of 36 litres of liquor from a Pax Godown kept in jute box.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that he came to be implicated based on confessional statement of Daresh Rai in police custody which does not have



any evidentiary value, it is also submitted that alleged recovery is from a place which does not belong to the petitioner.

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 Riga P.S. Case No. 86 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Learned trial court before accepting the bail bonds of the petitioner shall verify his criminal antecedent and if it is found that the petitioner has antecedent even of a single case, then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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