

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5085 of 2023

Arising Out of PS. Case No.-88 Year-2022 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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BARUN KUMAR RAKSHIT SON OF KRISHNA KUMAR RAKSHIT
RESIDENT OF VILLAGE- 164, BAITHA KHANA ROAD, K.M.C.
MUCHHIPARA, P.S.- RAJA RAM MOHAN SARANI, DISTRICT-
KOLKATA, WEST BENGAL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate
For the Opposite Party/s : Mr. Ravindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 22-05-2023 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 Sections 30(a),
32(ii) and 41(i) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

Allegation is of recovery of 203.750 litres of liquor
from a Scorpio vehicle and Dilip Ram and Raju Kumar were
arrested.

Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was



recovered from his conscious possession and petitioner is not the owner of the vehicle and came to be implicated based on the confessional statement of co-accused in police custody which does not have any evidentiary value in the eye of law when petitioner is a person with clean 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.1,000/- (Rupees One 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 Sheikhopur Sarai P.S. Case No. 88 of 2022 (Excise Case No. 303 of 2022), subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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