

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18225 of 2023

Arising Out of PS. Case No.-97 Year-2021 Thana- TETERHAT District- Lakhisarai

RAJESH KUMAR S/o Late Baldeo Ram R/o- 84, B.S.L. Colony, Marafari,
P.O. and P.S.- Marafari, Distt- Bokaro (Jharkhand). Presently residing at
Quarter No. 1-132, Sector-2/D, Street -5, B.S. City, P.O. and P.S.- B.S. City,
Distt. - Bokaro (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Kislay, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner submits that he will
remove the defects, as pointed out by the Stamp Reporter,
within a period of one week.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) 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 369 litres of liquor from a
Tata Ace vehicle and 209.160 litres of liquor from a Maruti
Super Carrier.

Learned counsel for the petitioner submits that



petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and he came to be implicated at the instance of Karan Kumar in police custody which does not have any evidentiary value in the eye of law. It is further submitted that petitioner is not the owner of any of the seized 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.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 Tetarhat P.S. Case No. 97 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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