

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15683 of 2023

Arising Out of PS. Case No.-172 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhepura

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SONU GUPTA @ SONU SAH @ SONU KUMAR S/o Shiv Shankar Sah R/o
Village- Mandir Road ward no. 3, P.S.- Singheshwar, Distt- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma, Advocate
For the Opposite Party/s : Mr. Brajendra Nath Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-05-2023 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 Section 30(a) of the
Bihar Excise Act.

Learned counsel for the petitioner submits that the
petitioner has antecedent of four cases and allegation is of
recovery of 40 liters of cup syrup from two cars as detailed in
the FIR.

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 petitioner is neither the owner nor the driver of



the alleged vehicle as detailed in the FIR and came to be implicated based on confessional statement of co-accused Suman Kumar which has no evidentiary value, it is next submitted that the police made Suman confess the name of the petitioner because of his antecedents.

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. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Madhepura P.S. Case No. 172 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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