

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15632 of 2023**

Arising Out of PS. Case No.-712 Year-2022 Thana- KANTI District- Muzaffarpur

RAKESH KUMAR @ CHUNNU THAKUR SON OF LATE KAILASH
THAKUR R/V GANNIPUR, P.S.- KAZI MOHAMMADPUR, DISTRICT-
MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Parmanand Prasad

**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 Sections 30(a),
32(i)(ii), 36, 41(i) 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 1857.60 liters of liquor from a container.

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 the petitioner is neither the owner nor the driver
of the alleged container and he came to be implicated based on



confessional statement of co-accused with does not have any evidentiary value, it is next submitted that the police made the co-accused confess the name of the petitioner based on 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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) 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 Kanti P.S. Case No. 712 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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