

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17823 of 2023

Arising Out of PS. Case No.-339 Year-2022 Thana- BODHGAYA District- Gaya

Rajesh Kumar @ Rajesh Kumar Barnwal Son of Late Laxuman Lal Resident of Manpura Kurmi Tola, Manpura, Buniyadganj, Gaya, P.S.- Bodh Gaya, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Ms. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-05-2023 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 467, 468, 470 and 120(B) of the Indian Penal Code read with Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 4077 litres of liquor form a godown of a hotel.

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 even the alleged recovery is from a place which



does not belong to the petitioner and he came to be implicated based on the confessional statement of co-accused in the police custody which does not have any evidentiary value.

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. 5,000/- (Rupees Five 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 Bodhgaya P.S. Case No. 339 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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