

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21463 of 2023

Arising Out of PS. Case No.-323 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhepura

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Manoranjana Kumar Son of Naga Yadav @ Narayan Prasad Yadav R/V- Belwa
Mathai Ward No. 7, PS- Madhepura Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-05-2023 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 one case and allegation is of
recovery of 102.600 litres of Codeine syrup from the courtyard
of one Manish Kumar.

Learned counsel for the petitioner submits that the
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession and he came to be
implicated based on the confessional statement of Manish



Kumar in police custody which does not have any evidentiary value. It is further submitted that even the alleged recovery is from a place which does not belong to the petitioner.

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 Madhepura P.S. Case No. 323 of 2022 in Excise Case No. 443 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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