

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21117 of 2023

Arising Out of PS. Case No.-131 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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ANIL RAI SON OF SIKIL RAI RESIDENT OF VILLAGE - TERASIYA,
WARD NO. 11, P.S. - GANGA BRIDGE, DISTT. - VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Choudhary, Advocate
For the Opposite Party/s : Mr. Md. Nazir Ansari, 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 Sections 30(a), 32(i), 32(3), 41(i) and 41(2) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 200 liters of liquor from an Auto.

Learned counsel for the petitioner, Mr. Vijay Shankar Choudhary, argues vehemently that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession, it is next submitted that the driver of the Auto was apprehended, who disclosed the name of the



petitioner. It is further submitted that petitioner is not the owner of the Auto and confessional statement in police custody does not have any evidentiary value when admittedly the petitioner is a person with clean 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. 1,000/- (Rupees One 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 Hajipur Excise P.S. Case No. 131 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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