

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22973 of 2023

Arising Out of PS. Case No.-7 Year-2023 Thana- MAHINDWARA District- Sitamarhi

RAMNATH KUMAR RAY @ RAMNATH RAI S/o- LALBABU RAY
RESIDENT OF VILLAGE- -SIRKHIRIYA WARD NO -7 PS-
RUNNISAIDPUR SIRI KHINRIA DISTRICT SITAMARHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate
		Mr. Arvind Kumar, Advocate
For the Opposite Party/s	:	Mr. Rajeev Nayan, APP

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 420, 467, 468, 471, 120B and 34 of the Indian Penal Code and under Section 30(a), 32(ii)(iii), 36 and 41(i)(ii) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of six cases and allegation is of recovery of 3508.140 liters of liquor from various vehicles as detailed in the F.I.R.

Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession, it is next submitted



that petitioner is not the owner of any of the seized vehicles and he came to be implicated based on confessional statement of co-accused in police custody which does not have any evidentiary value. It is next submitted that police because of the antecedent of the petitioner got him implicated in the confessional statement of co-accused with a view to save the real culprits.

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) 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 Mahindwara P.S. Case No. 07 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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