

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27605 of 2023

Arising Out of PS. Case No.-360 Year-2022 Thana- GORAUL District- Vaishali

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KUNDAN KUMAR @ KUNDAN RAI SON OF PRAVINDAR RAI @
PRAVIND RAY @ PRAVEEN KUMAR Resident of village - Salempur West,
P.S. - Goraul, Distt. - Vaishali at Hajipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sachin Kumar, Advocate
For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-05-2023 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 is a person with clean antecedent and allegation is of
recovery of 129.60 liters of liquor from a banana plantation
from where a motorcycle was also seized.

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 he is neither the owner of the banana plantation nor the motorcycle and he came to be implicated by the chowkidar, when admittedly he 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 to the satisfaction of the learned trial court where the case is pending/successor court in connection with Goraul (Kathara O.P.) P.S. Case No. 360 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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