

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32378 of 2023

Arising Out of PS. Case No.-606 Year-2022 Thana- ARARIA District- Araria

RAKESH BISHWAKARMA @ RAKESH BISHWAKARMA Son of Late
Dipak Bishwakarma R/O Vill.- Jugibari @ Jorabari, P.S.- Gohpur, District -
Sonitpur, State - Assam

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-05-2023 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 of the Indian Penal Code and under Sections 30(a), 32(1) (2), 36, 41(1)(2) 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 3294 liters of liquor from a truck and one Sagir Hussain was arrested.

Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and he came to be



implicated based on the confessional statement of co-accused in police custody which does not have any evidentiary value. It is also submitted that petitioner is not the owner of the truck.

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. 5,000/- (Rupees 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 Araria P.S. Case No. 606 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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