

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25398 of 2023

Arising Out of PS. Case No.-5 Year-2023 Thana- BHAIKAVSHTHAN District- Madhubani

Hira Lal @ Hira Lal Roy @ Hira Lal Ray Son Of Nagesar Ray R/O Village-
Siswar, P.S.- Phulparas, District- Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Kumari Shubham, Adv
		Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party/s	:	Dr. Indivar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-05-2023 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 272, 273, 420 and 120(B) of the Indian Penal Code read with Sections 30(a), 32(i) (ii), 36 and 41(i) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of three cases and allegation is of recovery of 427.320 litres of liquor from a truck and Deepak, Satish along with Vijendra and Raj Narayan were 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, it is next submitted



that petitioner is not the owner of the seized vehicle and he came to be implicated based on confessional statement of Vijendra in police custody which does not have any evidentiary value. It is further submitted that police because of his antecedent, falsely implicated the petitioner through Vijendra.

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. 15,000/- (Rupees Fifteen 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 Bhairavshthan P.S. Case No. 5 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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