

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26684 of 2023

Arising Out of PS. Case No.-28 Year-2023 Thana- KHANPURA District- Samastipur

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MANGANU RAY @ MUGNU RAY SON OF ASHARFI RAY RESIDENT
OF VILLAGE- GUDARGHAT SIRIPUR GAHAR, PS- KHANPUR, DISTT-
SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar

For the Opposite Party/s : Mr. Pushpa Sinha.1

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-05-2023 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) and
30(c) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the
petitioner has antecedents of three cases but, inadvertently, at
Para 3, it has been recorded that the petitioner has antecedent of
two cases, it is next submitted that the allegation is of recovery
of 300 liters of spirit from the house of Arun Kumar and Lalo
Kumar.

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 the petitioner is a resident of a different village than that of Arun and Lalo and he came to be implicated based on the confessional statement of the Lalo Kumar in police custody which does not have any evidentiary value.

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. 20,000/- (Rupees Twenty 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 Khanpur P.S. Case No. 28 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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