

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26914 of 2023

Arising Out of PS. Case No.-29 Year-2022 Thana- DANAPUR District- Patna

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DHARMENDRA RAI S/o Nand Kishore Rai @ Nand Kishore Ray R/o-
Sultanpur Math, P.S.-Danapur, District-Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, A.P.P.

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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 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 2160 liters of liquor from various vehicles as detailed in the F.I.R and from water tank of Naya Tola.

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 alleged seized vehicles 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 next submitted that the co-accused had merely talked with the petitioner that in itself does not by any stretch of imagination can be said that petitioner was also involved in the occurrence when admittedly petitioner 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) each 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 Danapur P.S. Case No. 29 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

GauravSinha/-

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