

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28162 of 2023**

Arising Out of PS. Case No.-257 Year-2022 Thana- SAHEBPUR KAMAL District-
Begusarai

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NIRAJ KUMAR @ NIRAJ THAKUR S/O MANOJ THAKUR RESIDENT
OF VILLAGE RAGHUNATHPUR KARARI PS SAHEBPUR KAMAL
DISTRICT BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Nitya Nand Tiwary, 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 120B of the Indian Penal Code and under Section 30(a), 32(i)(ii) and 41(ii) (iii) 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 1055.16 liters of liquor from a truck.

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 he came to be implicated at the instance of local people, but



then the F.I.R. does not disclose the name of local people which creates doubt with regard to the veracity of the allegation as alleged. It is next submitted that police deliberately implicated the petitioner because of his antecedent in order to save the real culprits. It is further submitted that petitioner is not the owner of the seized vehicle.

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 Sahebpur Kamal P.S. Case No. 257 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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