

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30134 of 2023

Arising Out of PS. Case No.-311 Year-2022 Thana- CHERIYA BARIYARPUR District-
Begusarai

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LALU KUMAR @ LALLU KUMAR Son of Upendra Singh Village-
Manjhaul Baba tola ward No-2, P.S.- Manjhaul Dist- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma, Advocate
For the Opposite Party/s : Ms. Rita Verma, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-05-2023 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), 32(ii)(iii), 36 and 41(i)(ii) of the Bihar Excise Act read with Sections 188, 290 and 190(b) of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 1440.825 liters of liquor from a truck.

Learned counsel for the petitioner submits that the petitioner was not apprehended 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



Ram Kumar in police custody which does not have any evidentiary value, it is next 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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten 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 Cheriya Bariyarpur P.S. Case No. 311 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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