

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29349 of 2023

Arising Out of PS. Case No.-39 Year-2023 Thana- MAHESI District- East Champaran

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AMRESH @ AMRESH KUMAR S/O VISHWANATH PRASAD
CHAURSIYA R/O Village- Senduari Braitha, Bakhri, P.S- Motipur, Distt.-
Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Narayan Singh, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-05-2023 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) and 41(i)(ii) 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 1088.64 liters of liquor from a car and a field.

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 confessional statement of co-accused in
police custody which does not have any evidentiary value, it is



next submitted that the petitioner is not the owner of the Car or the field. The learned counsel at the cost of repetition submits 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) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mehsi P.S. Case No. 39 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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