

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31508 of 2023

Arising Out of PS. Case No.-84 Year-2023 Thana- BYPASS District- Patna

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SAHEB KUMAR S/O TUNTUN BIND @ TUNTU BELDAR R/O Village-
Bahari Begumpur, Beldari Tola, P.S- Bypass, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-05-2023 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 37(b)(c) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 11 liters of liquor from a place near Jagdev Park and Kallu was arrested.

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 he came to be implicated based on confessional statement of Kallu in police custody which does not have any



evidentiary value, it is further submitted that even the alleged recovery is from a place which is accessible to public at large.

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. 5,000/- (Rupees Five 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 Bypass P.S. Case No. 84 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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