

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32776 of 2023

Arising Out of PS. Case No.-119 Year-2022 Thana- BALIGAON District- Vaishali

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MUKESH KUMAR @ MUKESH KUMAR RAY @ MUKESH RAI S/o-
LAXMAN RAI Village- Mahua Singh Rai Ps- Mahua Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Kumar

For the Opposite Party/s : Mr. Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-05-2023 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(2), 41(i) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of six cases and allegation is of recovery of 390.96 liters of liquor from four motorcycles.

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 in police custody which does not have any evidentiary value, it is next submitted police because of his antecedents, got him



implicated in the confessional statement of co-accused when the petitioner is not the owner of the seized vehicles.

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. 30,000/- (Rupees Thirty 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 Baligaon P.S. Case No. 119 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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