

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32771 of 2023

Arising Out of PS. Case No.-221 Year-2022 Thana- NAUBATPUR District- Patna

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SURAJ GUPTA Son of Atul Gupta @ Aklu Sah Resident of village - Gola
Bandh Road, P.S. - Town, Distt. - Muzaffarpur

... .. 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. Nawal Kishore Prasad

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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 420, 467, 468, 471 of the Indian Penal Code and Sections 30(a), 32(i)(ii) (iii), 36, 41(i)(ii) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of five cases and allegation is of recovery of 3663 liters of liquor from an Alto Car and 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, it is next submitted that the petitioner is not the owner of any of the seized vehicles and he came to be implicated based on the



confessional statement of Satyam Kumar in police custody which does not have any evidentiary value, it is further submitted that police because of his antecedents got him implicated through Satyam.

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. 25,000/- (Rupees Twenty Five 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 Naubatpur P.S. Case No. 221 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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