

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33583 of 2023

Arising Out of PS. Case No.-261 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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RUPESH KUMAR @ TENI Son of Late Abhinandan Singh Resident of
Village- Harpur, PS. Refinary O.P., District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-05-2023 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 offence punishable under Section 30(a) 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 2050 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, it is next
submitted that he came to be implicated at the instance of local
people but then the FIR does not disclose the name of the local



people who disclosed the name of petitioner which cast aspersion on the veracity of the allegations as alleged in the FIR, when admittedly petitioner is not the owner of the truck in question.

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 to the satisfaction of the learned trial court where the case is pending/successor court in connection with Excise Case No. 261 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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